



City of Cartersville

P.O Box 1390 – 10 Public Square – Cartersville, Georgia 30120
Telephone: 770-387-5616 – Fax 770-386-5841 – www.cityofcartersville.org

COUNCILPERSONS:

Matt Santini – Mayor
Dianne Tate – Mayor Pro Tem
Kari Hodge
Lindsey McDaniel, Jr.
Jayce Stepp
Louis Tonsmeire, Sr.
Taff Wren

AGENDA

Council Chamber, Third Floor of City Hall– 7:00
PM – 2/4/2016
Work Session – 6:00 P.M.

CITY MANAGER:
Sam Grove

CITY ATTORNEY:
David Archer

CITY CLERK:
Connie Keeling

I. Opening of Meeting

- Invocation
- Pledge of Allegiance
- Roll Call

II. Regular Agenda

A. Council Meeting Minutes

1. January 21, 2016 (Pages 1-10)

[Attachments](#)

B. Public Hearing - 2nd Reading of Zoning/Annexation Requests

1. File Z15-04: Rezoning application by TPA Group (Jeff Watkins, representative) for property located at 118 Old Mill Road (approximately 63.5 acres) from R-20 to H-I (Pages 11-34)

[Attachments](#)

2. File AZ16-01: Annexation/Rezoning application by Paul Melvin King for property located at 115 Cherokee Circle (approximately 2.2 acres) from County A-1 (Agricultural) to Cartersville R-20 (Single Family Residential). (City Donut Hole Initiative) (Pages 35-45)

[Attachments](#)

C. First Reading of Ordinances

1. Amendment to Utility Fees Ordinance (Pages 46-47)

[Attachments](#)

D. Appointments

1. Approval of Board Appointments for Downtown Development Authority (Pages 48-53)

[Attachments](#)

E. Resolutions

1. Time Change for Civic Youth Day March 17, 2016 (Pages 54-55)

[Attachments](#)

2. Hotel/Motel Tax Increase (Page 56)

[Attachments](#)

F. Bid Award/Purchases

1. Geo Hydro Engineers Subsurface Exploration Agreement (Page 57)

[Attachments](#)

2. Barracuda Email Archive Annual Support (Pages 58-59)

[Attachments](#)

3. CityView Software (Page 60)

[Attachments](#)

G. Grant Application/Acceptance

1. GDOT Supplemental LMIG Application for Off System Safety Project (Pages 61-65)

[Attachments](#)

H. Engineering Services

1. ATCO Sewer Survey (Pages 66-70)

[Attachments](#)

2. N. Erwin Street Water Main – Phase III Engineering (Pages 71-82)

[Attachments](#)

I. Surplus Equipment

1. Surplus Equipment - Athletic Field Lighting Systems (Page 83)

[Attachments](#)

J. Other

1. Visioning Retreat Summary (Pages 84-95)

[Attachments](#)

**ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES
OFFICE, ADA COORDINATOR, 48 HOURS IN ADVANCE OF THE MEETING AT
770-387-5616.**



City of Cartersville

City Council Meeting
2/4/2016 7:00:00 PM
January 21, 2016

SubCategory:	Council Meeting Minutes
Department Name:	Clerk
Department Summary Recommendation:	Attached are the minutes for your review and approval
City Manager's Remarks:	Minutes for the January 21st City Council Meeting are recommended for your approval.
Financial/Budget Certification:	
Legal:	
Associated Information:	

City Council Meeting
 10 N. Public Square
 January 21, 2016
 6:00 P.M. – Work Session 7:00 P.M.

I. Opening Meeting

Invocation by Council Member Tonsmeire

Pledge of Allegiance led by Council Member Wren

The City Council met in Regular Session with Matt Santini, Mayor presiding and the following present: Kari Hodge, Council Member Ward One; Jayce Stepp, Council Member Ward Two; Louis Tonsmeire, Sr., Council Member Ward Three; Lindsey McDaniel Council Member Ward Four; Dianne Tate, Council Member Ward Five; Taff Wren, Council Member Ward Six; Sam Grove, City Manager; Connie Keeling, City Clerk and Keith Lovell, Assistant City Attorney. David Archer, City Attorney was absent.

II. Regular Agenda

A. Swearing in of Elected Officials

Mayor Santini stated that this is the swearing in of the officials elected in the November 3, 2015 General Election.

Connie Keeling, City Clerk administered the oath of office to Lindsey McDaniel, City Council Ward 4.

B. Council Meeting Minutes

1. January 7, 2016

A motion to approve the January 7, 2016 City Council Meeting Minutes as presented was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

Mayor Santini stated that there was an item from a previous meeting on the table to be addressed at this meeting. A motion to remove the item from the table was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

C. Public Hearing – 2nd Reading of Zoning/Annexation Requests

1. File Z15-04: Rezoning application by TPA Group (Jeff Watkins, representative) for property located at 118 Old Mill Road (approximately 63.5 acres) from R-20 (Residential) to H-I (Heavy Industrial)

Randy Mannino, Director of Planning and Development, stated that this Zoning and Annexation request had no conflicts with the other City Departments and all adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino stated that this property is located at 118 Old Mill Road on the south side of the road near the intersection with South Erwin Street. There are no structures on this section of property proposed for rezoning. The adjacent 17 acres to the east of the subject request was annexed and zoned to H-I zoning in 2008. The applicant seeks to rezone a 63.5 acre portion of the property from R-20 to H-I with conditions for development of the highest and best use based on the application. Mr. Mannino stated that because the applicant has noted that they are seeking up to a million square feet, the request met the threshold for requiring it to proceed through the States Development of Regional Impact (DRI) review process. The Northwest Georgia Regional Commission (NWGRC) did return a favorable recommendation noting the proposed project is consistent with local and regional plans, and encouraged to review and implement comments and guidelines presented. Mr. Mannino stated that since this application had been heard the applicant had requested to downgrade from H-I (Heavy Industrial) to L-I (Light Industrial) and both parties had negotiated conditions for the development.

Mayor Santini opened the floor for a public hearing. Jeff Watkins came forward and presented a copy of the conditions, a map of the property berm, and his constitutional objections (all of which are on file at the City Clerks Office). Betty Hayes, Ted Boon, Herb Upton, and Brandon Bowen came forward to speak against the zoning. With no further comments Mayor Santini closed the public hearing. Mayor Santini stated that because zoning requests must be heard in two consecutive meetings this would be considered the first reading and a decision would be made at the next City Council Meeting on February 4, 2016.

NO ACTION REQUIRED

D. Presentations

1. Fiscal Year 2015 Audit Presentation

Tom Rhinehart, City Finance Director introduced Tom Carmichael of Carr, Riggs, and Ingram LLC to present the 2015 Audit Report. Mr. Carmichael gave the city's audit an "Unqualified Opinion" which is the cleanest audit rating a city can receive.

E. Second Reading of Ordinances

1. Recreation Advisory Board – Ordinance Revision

Greg Anderson, Parks and Recreation Department Superintendent stated that for the Recreation Board, the ordinance had placed term limits on those serving. This is the only board in the city with such limits. To be uniform on all boards Mr. Anderson proposed removing the term limits from all boards. This ordinance corrects the term limits. Mr. Anderson stated that there have been no additions or corrections since the first reading and recommended approval

A motion to approve Ordinance No. 01-16 was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

Ordinance
of the
City of Cartersville, Georgia
Ordinance No. 01-16

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, that the Code of Ordinances, City of Cartersville, Georgia **CHAPTER 15. PARKS AND RECREATION, ARTICLE II. ADVISORY BOARD.** **Section 15-33 – Membership (b)** is hereby deleted paragraph (b) in its entirety and replacing it as follows:

1.

Sec. 15-33. - Membership.

(b) Terms. Six (6) members shall be appointed on a staggered basis for terms of four (4) years. The seventh member to be appointed by the mayor shall serve a two-year term. Terms of the charter members shall be determined by lot of terms of three (3) members for four (4) and four (4) members for two (2) years. The mayor's appointee shall be one (1) of the four (4) members serving two (2) years. There are no term limits.

2.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 7th day of January 2016.

ADOPTED this the 21st day of January 2016. Second Reading.

/s/ **Matthew J. Santini**
Matthew J. Santini
Mayor

ATTEST:

/s/ **Connie Keeling**

Connie Keeling
City Clerk

F. Public Hearing – 1st Reading of Zoning/Annexation Requests

1. File AZ16-01: Annexation/Rezoning application by Paul Melvin King for property located at 115 Cherokee Circle (approximately 2.2 acres) from County A-1 (Agricultural) to Cartersville R-20 (Single Family Residential). (City Donut Hole Initiative)

Randy Mannino, Director of Planning and Development, stated that this Zoning and Annexation request had no conflicts with the other City Departments and all adjacent property owners have been notified and the required legal notices have been advertised. Mr. Mannino stated that this tract is approximately 2.2 acres with a single family home and is located at 115 Cherokee Circle south of the intersection with Indian Trail. This property is part of a larger donut hole of properties on Cherokee Circle and Indian Trail. The owner is selling the house on approximately 1 acre and retaining the remaining acre. Mr. Mannino stated that the Planning Commission recommended approval of both the annexation and zoning at R-20 (Single Family Residential)

Mayor Santini opened the floor for Public Hearings for the annexation and zoning and with no comments Mayor Santini closed the Public Hearings.

NO ACTION REQUIRED

G. Resolutions

1. Affordable Housing Revolving Loan Fund Disbursement to Bartow Area Habitat for Humanity

Randy Mannino, Director of Planning and Development, stated that in 2011 the City established an “Affordable Housing Revolving Loan Fund” and related policies with Community Development Block Grant (CDBG) funds. Habitat for Humanity has requested \$25,000 from the fund to rehab a house located at 7 Vigilant Street in the Atco area. In accordance with the policies, Habitat has submitted an application for the project and the resolution is necessary to approve the application and project. Mr. Mannino recommended approval of this resolution.

A motion to approve Resolution No. 02-16 was made by Council Member Tate and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

Resolution No. 02-16

RESOLUTION AUTHORIZING THE FILING OF THE BARTOW AREA HABITAT FOR HUMANITY APPLICATION WITH THE CITY OF CARTERSVILLE AFFORDABLE HOUSING REVOLVING LOAN FUND PROGRAM (RLF PROGRAM), REQUESTING UP TO \$25,000 TO PROVIDE HOMEOWNERSHIP OPPORTUNITIES

**TO LOW AND MODERATE INCOME PERSONS WHILE MITIGATING
CONDITIONS OF SLUM AND BLIGHT.**

WHEREAS, the City of Cartersville Affordable Housing Revolving Loan Fund Program is Authorized to Make Loans to Local Not-For-Profit Agencies which provide Homeownership Opportunities to Low- and Moderate-Income Persons while mitigating Conditions of Slum and Blight and for the Purpose of Community Improvements.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Cartersville and Bartow Area Habitat for Humanity, herein referred to as the “Applicant”,

- 1. That Robin Hooker, actin in her official capacity as Director of the Bartow Area Habitat for Humanity, is authorized to execute and file an application on behalf of the Applicant, a local nonprofit, with the City of Cartersville Affordable Housing Revolving Loan Fund Program,**
- 2. That Mathew J. Santini, acting in his official capacity as Mayor of the City of Cartersville, is authorized to execute and file such applications and assurances or any other documents required by the City of Cartersville Affordable Housing Revolving Loan Fund Program,**
- 3. That the Director is authorized to execute a loan contract agreement on behalf of the Applicant with the City of Cartersville Affordable Housing Revolving Loan Fund Program,**
- 4. That the Applicant, while making application to or receiving loans from the City of Cartersville Affordable Housing Revolving Loan Fund Program will comply with local, state and federal statutes, regulations, executive orders and administrative requirements as required by said agencies.**

Adopted this the 21st day of January, 2016.

**/s/ Matthew J. Santini
Matthew J. Santini
Mayor**

ATTEST:

**/s/ Connie Keeling
Connie Keeling
City Clerk**

H. Other

- 1. Lien release for 35 Opal Street which was part of the first-time homebuyer program.**

Randy Mannino, Director of Planning and Development stated that this is part of the first time home buyer program. The current property owner at 35 Opal Street has reached the 5 year forgivable loan period and has requested that the city release the \$10,000 lien. Mr. Mannino recommended approval and that the Mayor and City Clerk be authorized to execute the quitclaim deed.

A motion to approve the lien release for 35 Opal Street was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

2. Natural Gas Association of Georgia Dues

Gary Riggs, Gas Superintendent stated that this is the invoice for the 2016 Natural Gas Association of Georgia dues in the amount of \$5,000. Mr. Riggs recommended approval.

A motion to approve the invoice as presented was made by Council Member Hodge and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

I. Contract/Agreements

1. Lease Approval – Location for Gas Department Equipment

Gary Riggs, Gas Superintendent stated that this is a lease to store materials and equipment from the old Administrative and Shop building located at 4 Cook Street. Mr. Riggs stated that he had located a building at 15 Postelle Street owned by Tilley Properties at a cost up to \$36,000 per year. Mr. Mannino recommended approval of this lease subject to being reviewed and approved by the City Attorney and City Manager.

A motion to approve this lease subject to being reviewed and approved by the City Attorney and City Manager was made by Council Member Stepp and seconded by Council Member McDaniel. Motion carried unanimously. Vote 6-0

2. Approval of MOU with Department of Community Affairs

Lillie Reed, Downtown Development Director stated that Cartersville has been a member of the Georgia Main Street Program since 1987. To remain in good standing with the program, both the DDA Board and the City must sign a yearly Memorandum of Understanding with the Georgia Department of Community Affairs. The term of the agreement is for 2016 with an ending date of December 31, 2016. Ms. Reed recommended approval.

A motion to approve the Memorandum of Understanding was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

J. Bid Award/Purchases

1. Travelers Insurance Deductible

Dan Porta, Assistant City Manager stated that the city has received an invoice from Travelers Insurance for a lawsuit against the city from a date of loss of November 2012. Travelers Insurance the City's insurer when this lawsuit was filed and they are still working on the city's behalf in this matter. Mr. Porta stated that the city's deductible for this type of loss is \$25,000 and the current amount due to Travelers is \$5,108 and recommended approval.

A motion to approve invoice from Travelers was made by Council Member Stepp and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

2. Everbridge – Mass Communication System

Rebecca Bohlander, Communications and Public Relations Manager stated that this is the renewal of the Everbridge Mass Communication System. Ms. Bohlander stated that there is no cost increase over last year and recommended approval.

A motion to approve the invoice to Everbridge was made by Council Member Tonsmeire and seconded by Council Member Wren. Motion carried unanimously. Vote 6-0

3. Self Contained Breathing Apparatus Bottles

Scott Carter, Fire Chief stated that this is a continuation and completion of a three year replacement project that began in FY2013-14. There are only two vendors who can supply the Self Contained Breathing Apparatus that the City uses and Chief Carter recommended approval of the low bid from MES (Municipal Emergency Services, Inc.) for 38 bottles at \$880 each for a total of \$33,440.

A motion to approve the low bid from MES was made by Council Member Tonsmeire and seconded by Council Member Stepp. Motion carried unanimously. Vote 6-0

4. Purchase of 20yd Rear Loader Garbage Truck

Tommy Sanders, Public Works Director stated that bids were requested for a 20 Cubic Yard Rear Loader Garbage Truck to replace a 1991 model truck that has terminal engine failure. A committee that included end users and garage personnel evaluated the bids and recommended the lowest responsive bid that met every specification. Mr. Sanders recommended approval of the Heil PT-1000 body on a 2017 Kenworth T-370 Truck/Chassis from Carolina Environmental Systems in the amount of \$140,332.88.

A motion to approve the purchase from Carolina Environmental Systems was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote 6-0

5. Primary #2 Screw Pump – Gearbox Installation Labor

Bob Jones, Water and Sewer Superintendent that this is a price to install a gearbox,

modifications to mounting base plate and motor mounts that will need to be fabricated for the Primary #2 Screw Pump. Mr. Jones recommended the low bid from P & W Machine Shop in the amount of \$7,200.

A motion to approve the low bid from P & W Machine Shop was made by Council Member Stepp and seconded by Council Member Tonsmeire. Motion carried unanimously. Vote 6-0

6. Purchase of Various Department Vehicles

Tom Rhinehart, Finance Director stated that bids had been solicited for seven vehicles for various departments and recommended the overall low bid from Pioneer Ford in the amount of \$186,145.

A motion to reject all bids and give vendors one week to return bids to be represented at the February 4, 2016 City Council Meeting was made by Council Member Stepp and seconded by Council Member Wren. Motion failed. Vote 6-0

A motion to approve the overall low bid from Pioneer Ford to be purchased through Lease Pool was made by Council Member Stepp and seconded by Council Member Wren. Motion carried unanimously. Vote 6-0

7. Conditioner #5 Recirculation Pump at WPCP

Bob Jones, Water and Sewer Superintendent stated that the current recirculation pumps for conditioner 5 were installed in 2006. These pumps mix and move concentrated sludge through the solids handling treatment train of the plant. The pumps have been problematic since their installation and now one is completely worn out. Bids were requested for a replacement “hard metal” pump rated for severe duty solids handling. Mr. Jones recommended the purchase of the Morris/Grundfos pump from Goforth-Williams, Inc in the amount of \$37,540.71.

A motion to approve the purchase from Goforth-Williams, Inc. was made by Council Member Hodge and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

8. WTP Filter Rehab Design

Bob Jones, Water and Sewer Superintendent stated that an inspection of filter #2 was conducted and revealed a significant loss of media through the filter underdrain. The presence of filter media under the structure indicates the underdrain is beginning to fail. Mr. Jones stated that there is no indication a catastrophic failure is imminent, but it is prudent to start the rehabilitation process now. Mr. Jones proposed doing the engineering portion to be prepared should there be an unexpected failure. Mr. Jones stated that he had contacted Wiedeman and Singleton Engineers for the rehabilitation of filter 4 -6 in filter #5 in 2012 and the project was successfully executed and both design and construction came in under budget, therefore he has contacted the same firm to do the design for this filter and the proposed fee is the exact same as in 2012. Mr. Jones recommended approval for Wiedeman and Singleton Engineers to do the

engineering at a cost of \$58,260.

A motion to approve the engineering by Wiedeman and Singleton Engineers was made by Council Member Tonsmeire and seconded by Council Member Hodge. Motion carried unanimously. Vote 6-0

9. Rebuild Pre-Mix Mixer

Bob Jones, Water and Sewer Superintendent stated that one of the mixers in the pre-mix tank needs to be rebuilt. In the past the Water Department has used various companies for this type repair to save money but it has caused more problems than it solved. For this reason Mr. Jones recommended that Flygt (original equipment manufacturer) do the work at a cost of \$5,840.83.

A motion to approve Flygt to rebuild the Pre-Mix Mixer was made by Council Member Tonsmeire and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

10. WTP – Utility Vehicle

Bob Jones, Water and Sewer Superintendent stated that bids were requested for a two seat UTV with a minimum payload of 1,000 lbs. Bids were returned and Mr. Jones recommended the low bid from Taylor Farm Supply in the amount of \$7,475.

A motion to approve the purchase from Taylor Farm Supply was made by Council Member Wren and seconded by Council Member Tate. Motion carried unanimously. Vote 6-0

K. Monthly Financial Statement

1. November 2015 Financial Report

Tom Rhinehart, Finance Director presented the November 2014 monthly financial statement with comparisons from the previous year of November 2013 by fund, along with supplemental financial information comparing the year to date revenues and expenses for each fund and a report of cash position through November 2015. No action is needed by Council

After announcements a motion to adjourn the meeting was made by Council Member Stepp and needing no second. Motion carried unanimously. Vote 6-0

Meeting Adjourned

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting

2/4/2016 7:00:00 PM

File Z15-04: Rezoning application by TPA Group (Jeff Watkins, representative) for property located at 118 Old Mill Road (approximately 63.5 acres) from R-20 to H-I

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	This property is 118 Old Mill Road, located on the south side of the road near the intersection with S. Erwin Street. There are a variety of uses adjacent to the property – industrial, restaurant, gas station, office, and residential south of this portion of the property. There are no structures on this section of the property proposed for rezoning – the houses, barns, and other structures are to the south of the area proposed for rezoning and are proposed to remain as such. The adjacent 17 acres to the east of the subject request was annexed and zoned (AZ08-13) to the H-I zoning district in 2008. The applicant seeks to rezone a 63.5 acre portion of the property from “R-20 to H-I with conditions” for development of the highest and best use based on the application. Because the applicant has noted that they are seeking up to a million square feet, the request met the threshold for requiring it to proceed through the States Development of Regional Impact (DRI) review process. The Northwest Georgia Regional Commission (NWGRC) did return a favorable recommendation noting the proposed project is consistent with local and regional plans, and encouraged to review and implement comments and guidelines presented. RECOMMENDATION: Planning Commission recommends approval as presented
City Manager's Remarks:	This item is recommended for your approval by the Planning Commission. It is unchanged from first reading.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ZONING SYNOPSIS

Petition Number(s): **Z15-04**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **TPA Group**

Representative: **Jeff Watkins**

Property Owner: **William Wright**

Property Location: **118 Old Mill Road**

Access to the Property: **Old Mill Road**

Site Characteristics:

Tract Size: Acres: **63.5 acres** District: **4th** Section: **3rd** LL(S): **625, 672**

Ward: **3** Council Member: **Louis Tonsmeire, Sr.**

LAND USE INFORMATION

Current Zoning: **R-20 (Residential)**

Proposed Zoning: **H-I (Heavy Industrial) with conditions * (H-I conditioned to the permitted uses set forth in the L-I district including the uses listed for special use (which are allowed by right in HI), and further excluding special use for Tattoo/Body Piercing Parlors and Adult Entertainment Establishments as listed in the L-I district.)**

Proposed Use: **Development of highest and best use**

Current Zoning of Adjacent Property:

North: **H-I (Heavy Industrial)**

South: **R-20 (Residential)**

East: **H-I**

West: **L-I (Light Industrial)**

The Future Development Plan designates the subject property as: **Suburban Living**

ZONING ANALYSIS

City Departments Reviews

Water and Sewer:

No objections.

Public Works:

Per the traffic study the Level of Service at South Bridge and SR 3 will go below acceptable levels due to the increase in EB traffic on South Bridge. This is an off-site impact that we recommend be addressed. It should be noted that this is on GDOT right-of-way therefore plans would have to be submitted to and coordinated with GDOT for approval to revise the signal permit before any improvements could commence.

We do not concur with the conclusion that no turn lanes are necessary at the driveways, but that is on-site impact and can be addressed through the regular plan review process.

Gas:

No objections.

Electric:

No objections.

Fire:

No objections.

Police:

No comments.

This property is 118 Old Mill Road, located on the south side of the road near the intersection with S. Erwin Street. There are a variety of uses adjacent to the property – industrial, restaurant, gas station, office, and residential south of this portion of the property. There are no structures on this section of the property proposed for rezoning – the houses, barns, and other structures are to the south of the area proposed for rezoning and are proposed to remain as such. The adjacent 17 acres to the east of the subject request was annexed and zoned (AZ08-13) to the H-I zoning district in 2008. The applicant seeks to rezone a 63.5 acre portion of the property from “R-20 to H-I with conditions” for development of the highest and best use based on the application. Because the applicant has noted that they are seeking up to a million square feet, the request met the threshold for requiring it to proceed through the States Development of Regional Impact (DRI) review process. The Northwest Georgia Regional Commission (NWGRC) did return a favorable recommendation noting the proposed project is consistent with local and regional plans, and encouraged to review and implement comments and guidelines presented.

STANDARDS FOR EXERCISE OF ZONING POWERS.

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
There are a variety of uses adjacent to this property – heavy industrial, light industrial, restaurant, gas station, power substation, office, and residential.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
There are a variety of zoning districts adjacent to this property – H-I, L-I, G-C, O-C, R-20, and Bartow County jurisdiction.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The biggest concern about use or usability would be the portion of the tract that is not being requested for re-zoning. The remaining portion of this tract (approximately 60 acres) will remain zoned residential, and is situated directly adjacent to the closest nearby residential.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
As currently zoned for single-family residential development, the property is unusual in that a large portion of the property is touching or adjacent to commercial and industrial zoning.
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
Utility, Public Works, and Planning & Development staff would review any future development/redevelopment based on possible use on roads, utilities, and other factors.

The applicant has submitted a traffic study that does identify impacts to the roadway network.

- F. *Whether the zoning proposal is in conformity with the local Comprehensive Land Use Plan.*
The proposal is not in conformity with the “Character Area – Future Development Map” portion of the Comprehensive Plan.
- G. *Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.*
Utility, Public Works, and Planning & Development staff would review any future development/redevelopment based on the adopted regulations.
- H. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*
The fact that large portions of touching and adjacent properties are zoned nonresidential and are used for industrial and commercial purposes may affect potential approval or disapproval of the proposal. The annexation and zoning to H-I in 2008 of the 17 acres directly adjacent to the eastern boundary of the subject application does provide for changing conditions.

STAFF RECOMMENDATION:

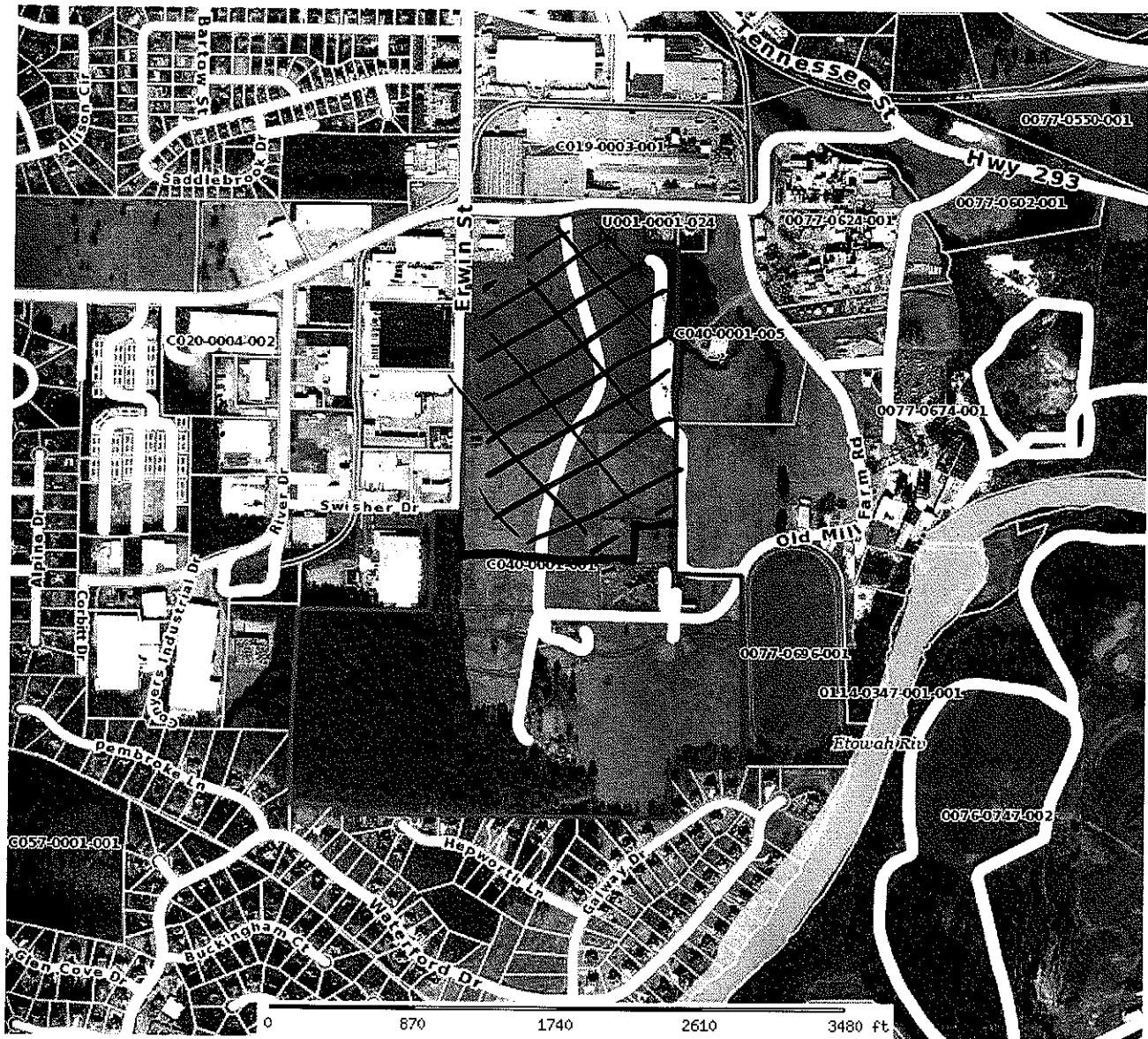
Staff has reservations about rezoning a portion of this property from R-20 to H-I given the variety of adjacent zoning districts and uses. The initial thought based on the data was to consider L-I (Light Industrial) which could be a more appropriate zoning than H-I.

The applicant has further modified the request for H-I to the permitted uses set forth in the L-I district including the uses listed for special use (which are allowed by right in HI), and further excluding special use for *Tattoo/Body Piercing Parlors and Adult Entertainment Establishments* as listed in the L-I district.

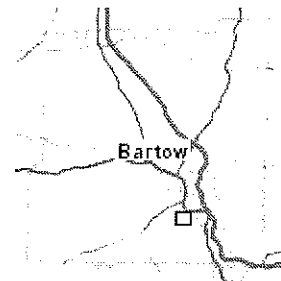
The above modification or condition proposed by the applicant does seem more appropriate, eliminating many of the more intensive H-I uses such as asphalt and concrete plants, salvage yards, etc.

There is still concern about the traffic impact as mentioned in the Public Works Department comments and submitted traffic study.

PLANNING COMMISSION RECOMMENDATION: **APPROVAL AS PRESENTED**



Bartow County Assessor			
Parcel: 36373 Acres: 0			
Name:	WRIGHT WILLIAM W	Land Value	\$ 630,400
Site:	831 ERWIN ST	Building Value	\$ 512,300
Sale:	0 on 2001-02-01 Reason=U Qual=X	Net Value	\$ 169,900
Mail:	P O BOX 68	Total Value	\$ 1,312,600
	CARTERSVILLE, GA 30120		

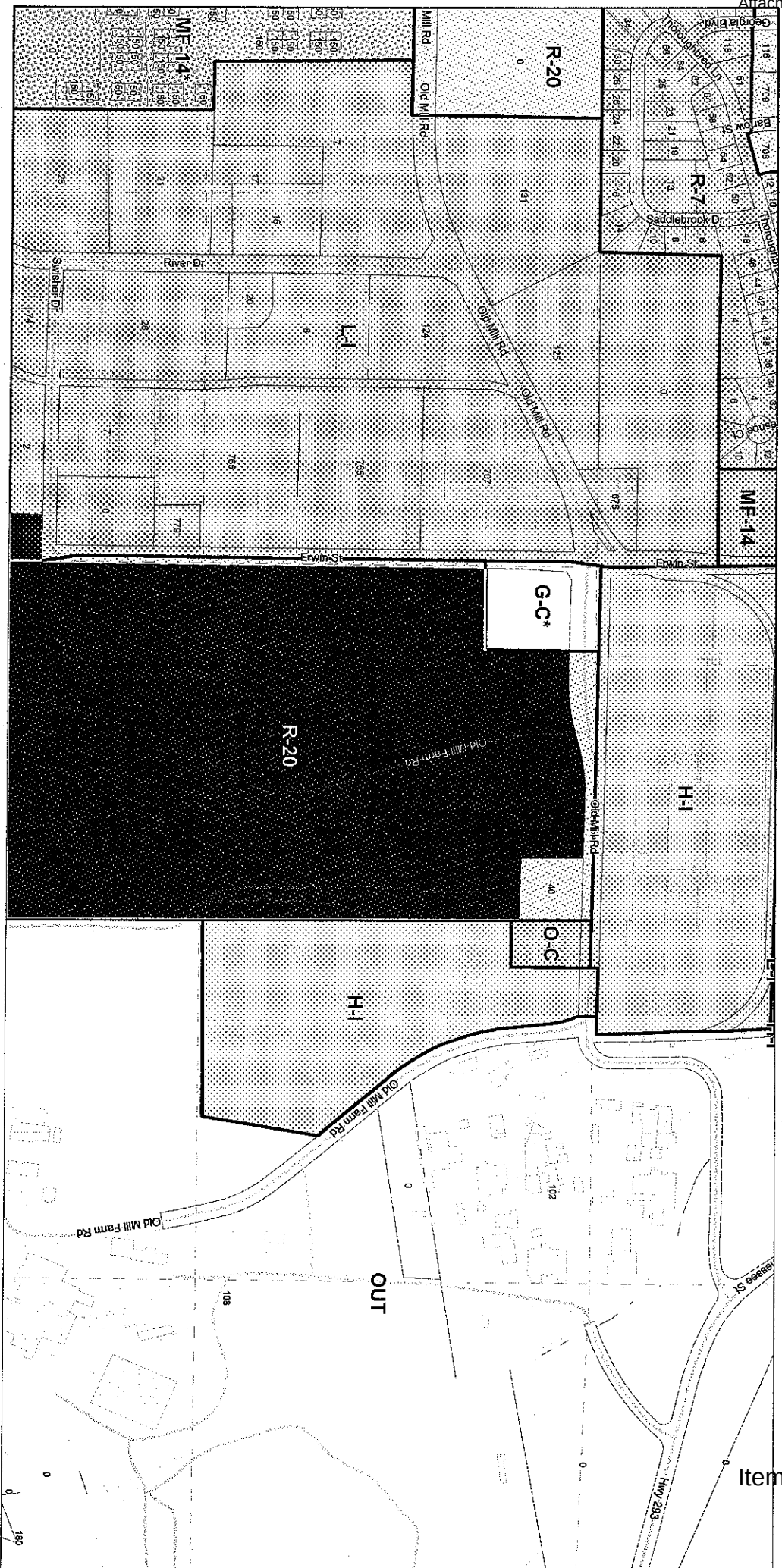


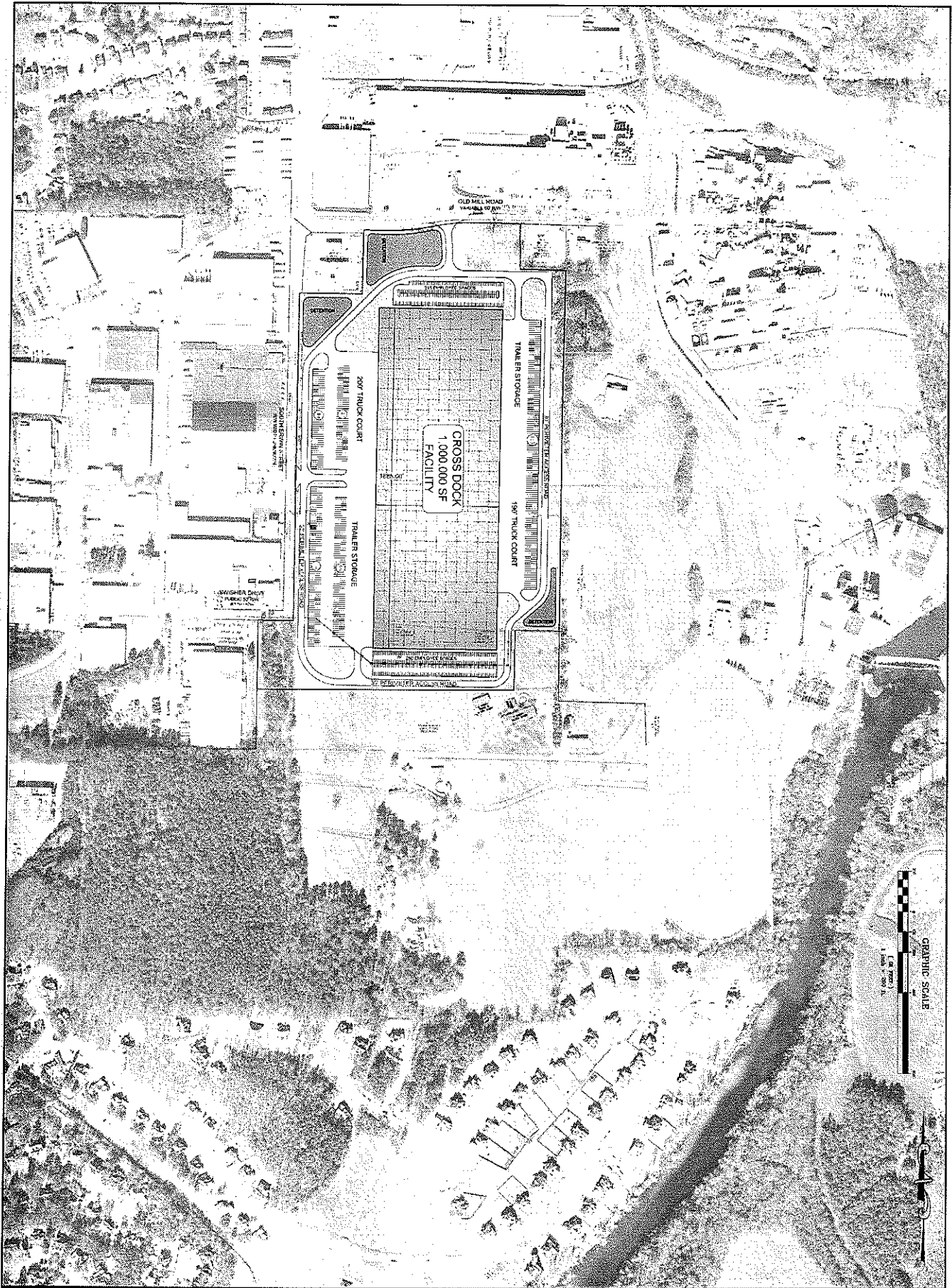
The Bartow County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER BARTOW COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—

Date printed: 07/22/15: 14:17:17

Item # 2

Old Mill Rd & S. Erwin St - rezoning R-20 to H-1





SHEET NO.: C201	SHEET TITLE: CONCEPTUAL SITE PLAN	PROJECT NO.: 15055	DATE 08/15	REVISIONS:	
				DATE	DESCRIPTION
				1	Item #
				2	
				3	
				4	
				5	
				6	

SOUTHLAND
ENGINEERING

CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS
114 OLD MILL ROAD, CARTERSVILLE, GA 30120
PH: 770.387.0440 FAX: 770.607.5151

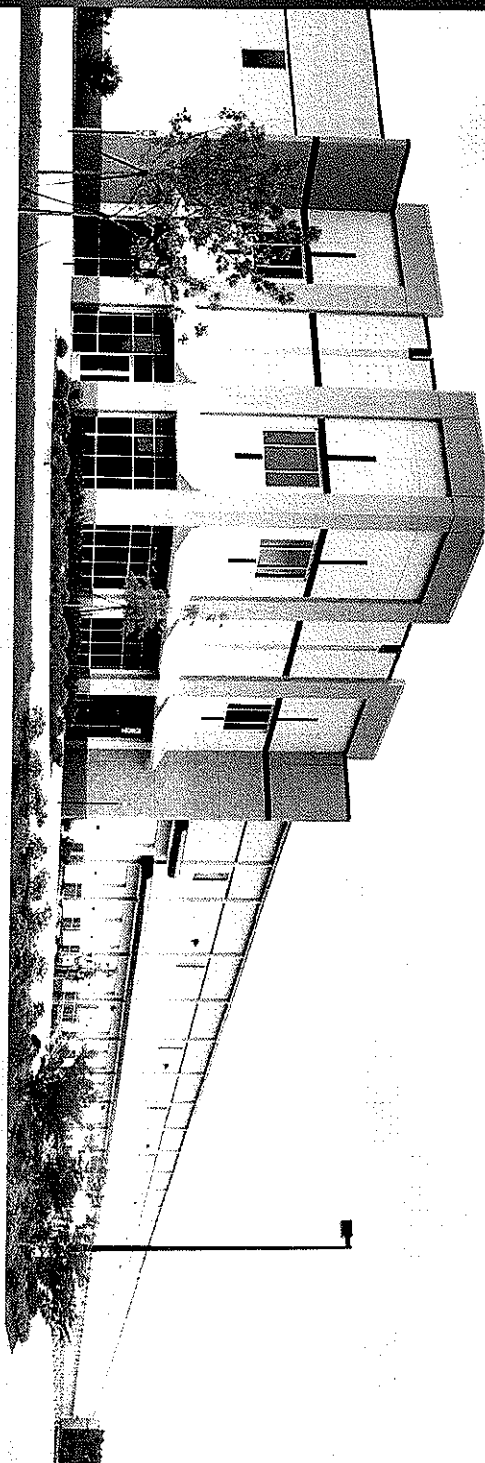
OLD MILL DISTRIBUTION
CENTER

CARTERSVILLE, GA



Cartersville
Be Charmed • Be Prosperous • Belong

118 Old Mill Rd Rezoning Z15-04



Application for Rezoning

Planning and Development Department
10 North Public Square
City of Cartersville
(770) 387-5600

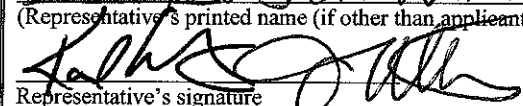
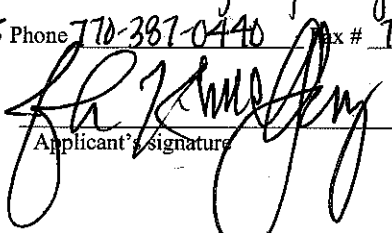
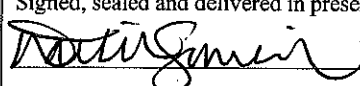
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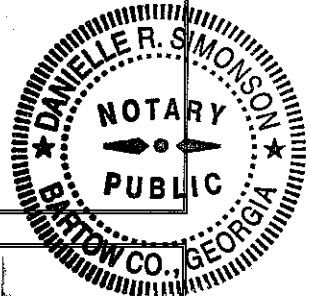
Application Number

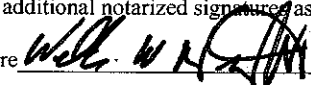
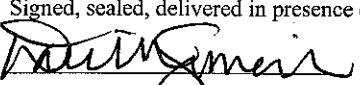
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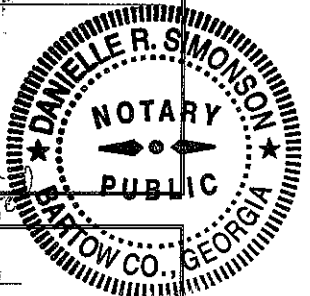
Hearing Dates

*8-11-15 @ 5:30
8-20-15 @ 7:00
9-3-15 @ 7:00*

Applicant <u>TPA Group</u> (applicant's printed name)		Business/Cell Phone <u>404-900-8484</u>	
Address <u>3350 Riverwood Rwy, Suite 750</u>		Home Phone <u>770-430-5319</u>	
City <u>Atlanta</u>	State <u>GA</u>	Zip <u>30339</u>	Email <u>jmcgorry@tpa-grp.com</u>
Karl Watkins <u>Jeff Watkins</u>		Phone <u>770-387-0440</u>	Fax # <u>770-407-5151</u>
(Representative's printed name (if other than applicant))			
			
Representative's signature		Applicant's signature	
Signed, sealed and delivered in presence of:			
		My commission expires: <u>1-24-17</u>	
Notary Public			



Titleholder <u>William Wright</u> (titleholder's printed name)	Business _____	Home _____
*attach additional notarized signatures as needed on separate application page Address _____		
Signature 		
Signed, sealed, delivered in presence of:		
		My commission expires: <u>1-24-17</u>
Notary Public		



Present Zoning District(s) <u>R-20</u>	Requested Zoning <u>H-1*</u>	<i>See attached applicant submitted conditions.</i>
Acreage <u>03.50189</u>	Land Lot(s) <u>025 & 072</u>	District(s) <u>4th</u>
Section(s) <u>3rd</u>		
Location of Property <u>118 Old Mill Rd, Cartersville, GA 30120; Erwin St + Old Mill Rd.</u> (street address, nearest intersections, etc)		
Reason for requested Rezoning: <u>Changing the use of the property for development of the highest and best use.</u> (attach additional statement as necessary)		

Attach a copy of a current boundary survey showing metes and bounds and indicating all existing site improvements and confirmation of the availability of all public utilities. Said site must meet the proposed zoning district development standards and access requirements of the City's regulations.

*Paid check # 0259
7/19/15*

REQUESTED ZONING
APPLICANT: TPA GROUP/APPLICATION NO. Z15-04

Heavy Industrial limited to the permitted uses set forth in the L-I District including the uses listed for a special use, but excluding tattoo and body piercing parlors and adult entertainment.

Rec'd from
applicant 10/29/15

ADDENDUM TO REZONING APPLICATION

TPA GROUP

CONSTITUTIONAL OBJECTIONS

The Zoning Ordinance for the City of Cartersville, Georgia, lacks adequate standards for the City Council to exercise its power to zone and rezone. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters of zoning. The Zoning Ordinance also violates Article I, Section III, Paragraph 1; and Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia, 1983.

The City Council is granted the power to zone pursuant to Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983. It is a power which must be fairly exercised. Based on this element of fairness, the Zoning Ordinance for the City of Cartersville violates Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983.

The Zoning Ordinance presently in effect, zoning this property as Zoning District R-20 is contrary to the best interest of the health and welfare of the citizens of the City of Cartersville, Georgia, and constitutes an arbitrary and capricious act. As a result, the Zoning Ordinance is in violation of Article I, Section I, Paragraphs 1

Item # 2

Failure to grant the application for rezoning to H-I with conditions set forth on Exhibit "A" or to zone the subject property to H-I with conditions other than those set forth on Exhibit "A", or to zone the subject property any other classification including other intervening classifications would be contrary to the best interest of the health and welfare of the citizens of the City of Cartersville, Georgia, and would further constitute an arbitrary and capricious act motivated by spite and ill will towards the Applicant for retaliatory purposes. As such, failure to grant the application would constitute a violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia, 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia, 1983; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983, together with due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

Any limitation on the time for presentation of the issues before the City Council who has the power to zone and rezone is a violation of the guarantees of free speech under Article I, Section I, Paragraph 5 of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America. Further, said limitations are in violation of the right to petition and assemble, in violation of Article I, Section I, Paragraph IX of the Constitution of Georgia, 1983 and the First Amendment of the Constitution of the United States of America as well as the due process clauses of the Constitution of Georgia, 1983 and the Constitution of the United State of America.

Finally, the Applicant places the City of Cartersville, Georgia on notice that it will be strictly held accountable for all monetary damages sustained by them as a result of an illegal denial. The Applicant specifically reserves all the monetary and equitable remedies available to them pursuant to the United States Civil Rights Act, 42

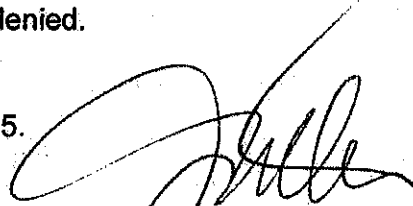
and 2 of the Constitution of the State of Georgia, 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983. Furthermore, the Zoning Ordinance violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the Zoning Ordinance presently in effect, zoning this property in Zoning District R-20 is unconstitutional in that it renders this property unusable and destroys its marketability. Therefore, the Zoning Ordinance constitutes a taking of applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitution and in violation of Article I, Section I, Paragraph 1, and Article I, Section III, Paragraph 1 (a) of the Constitution of Georgia.

The failure to rezone the subject property to H-I with conditions set forth on Exhibit "A", as requested, or to zone the subject property to H-I with conditions other than those set forth on Exhibit "A" or to zone the property to any other classification including other intervening zoning classifications, would constitute the taking of property without due process and without the payment of adequate compensation in violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia, 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia, 1983; and the Fifth and Fourteenth Amendments of the Constitution of the United States.

U.S.C. §§ 1983 and 1988 and laws of the State of Georgia as a result of the infringements of their constitutional rights in the foregoing provisions of this notice, which will result if the Application is denied.

This 10th day of November, 2015.



JEFFREY A. WATKINS, ESQ.
ATTORNEY FOR TPA GROUP

EXHIBIT "A"

REQUESTED ZONING

APPLICANT: TPA GROUP/APPLICATION NO. Z15-04

Heavy Industrial limited to the permitted uses set forth in the L-I District including the uses listed for a special use, but excluding tattoo and body piercing parlors and adult entertainment.



The Cartersville Waterford Homeowners' Association Board
PO Box 2545, Cartersville, GA 30120

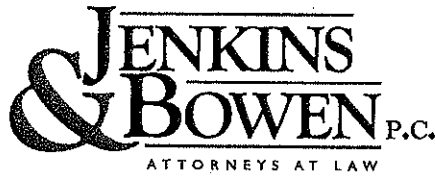
A RESOLUTION

EXPRESSING OPPOSITION TO REZONING CASE NO. Z15-04

- WHEREAS:** There is a tract of land located at 118 Old Mill Road consisting of approximately 178 acres and which is currently advertised for sale; and
- WHEREAS:** This same tract of land has for many years been zoned as R-20 and has been used as a horse farm with pastures, fenced areas, stables, barns, and, a residence; and
- WHEREAS:** An application has been made to the city of Cartersville, Georgia to rezone approximately 60 acres of this tract to HI; and
- WHEREAS:** This tract of land shares a property line with twenty-two lots or homes in The Waterford, a residential development which broke ground in 1988 and now has 400 homes; and
- WHEREAS:** Approval of the rezoning request would bring development and usage noise thereby interfering with the quality of life experienced by homeowners in The Waterford; and
- WHEREAS:** Approval of the rezoning request would cause irreversible damage to property values in The Waterford and impact for many what is their largest asset, their home; and
- WHEREAS:** There are currently several vacant industrial buildings and warehouses within one-quarter mile of this land tract, some of which have been vacant for years, thereby negating the perceived need for additional acreage for heavy industrial purposes; and
- WHEREAS:** There exists the Cartersville Waterford Homeowners' Association, Inc. (Waterford HOA) whose members are all lot owners in The Waterford and which is governed by a board of directors elected by the members; and
- WHEREAS:** The Waterford HOA board of directors does at all times faithfully act in the best interests of its members; now
- THEREFORE:** Be it resolved by the Waterford HOA board of directors that the board does hereby adopt this resolution to express opposition to the rezoning application of case number Z15-04 and shall transmit a copy of this resolution to both the Cartersville Planning Commission and the Cartersville City Council and urges both bodies to deny the application.

Adopted by the board on July 27, 2015

Troy Weaver, President, Waterford HOA



FRANK E. JENKINS, III
BRANDON L. BOWEN
ROBERT L. WALKER
ERIK J. PIROZZI
SARAH C. MARTIN

15 SOUTH PUBLIC SQUARE
CARTERSVILLE, GEORGIA 30120-3350
TELEPHONE (770) 387-1373
FACSIMILE (770) 387-2396
<http://www.ga-lawyers.pro>

SAVANNAH OFFICE
11 CEDAR VIEW DRIVE
SAVANNAH, GEORGIA 31410

REPLY TO: CARTERSVILLE

November 10, 2015

VIA HAND DELIVERY

Mayor and City Council of the City of Cartersville
City of Cartersville Planning Commissioners
c/o Randy Mannino, AICP
Carterville Zoning Administrator

LETTER OF CONSTITUTIONAL OBJECTIONS

Re: TPA Group / Wright rezoning application
Case # Z15—04

Dear Honorable Mayor, Council, and Planning Commissioners:

This firm represents a number of residents of Galway Drive directly adjacent to the subject of this rezoning application; I attach a list of names and addresses as Exhibit A for your reference. We would like to make a few essential points in regards to this application.

1. Rezoning to speculatively allow across the board special use permits is unconstitutional.

It is our understanding that the applicant seeks a Heavy Industrial zoning classification, but proposes as a condition that the permitted uses would be those permissible in the Light Industrial classification, expressly including those that are special uses. According to the City's zoning ordinance, this would allow as a matter of right manufacturing uses which emit smoke, noise, odor, dust, vibration or fumes outside of their building:

Manufacturing establishments which use limited water in the manufacturing operation either for processing, cooling, or heating; or which emit smoke, noise, odor, dust, vibrations, or fumes beyond the walls of the building in which housed shall not be allowed, except with approval of a special use in accordance with standards further described in section 16.4.9.¹

¹ Zoning Ordinance Sec. 10.1

November 10, 2015

Page 2 of 3

The effect of such a speculative rezoning would give the applicant the right to establish such noxious uses without the public notice and hearing process that is required of special use permits under the Zoning Procedures Law. It would also take away from the Planning Commission and City Council the right and ability to consider particular special uses and decide if they are right for our community. It simply makes no sense to rezone property in such a speculative fashion and give the applicant a blanket exception from the future public notice and decision-making process. The accepted process in jurisdictions throughout Georgia is that the applicant determines what use it will actually make of the property and then seeks rezoning that is site plan specific. This way the Planning Commission and City Council can know exactly what they are approving, and the public can have a meaningful opportunity to comment. Where appropriate, the City Council would be able to deny an application or impose reasonable conditions to mitigate concerns raised by the application. But by granting this speculative request, the City would be giving this up for no good reason and contrary to the interests of residents and other property owners in the vicinity.

2. The application is not consistent with City comprehensive planning.

As discussed in the Zoning Synopsis for this application, the request is not consistent with the City's comprehensive planning. The City's Character Area-Future Development Map shows this property as Suburban Living (See Exhibit B). The purpose of this character area is stated by the Comprehensive Plan as:

Preserves established suburban neighborhoods and adjacent areas with suitable land use patterns, potential infill and redevelopment opportunities where development pressure is the greatest due to the adjacency of current or proposed community infrastructure (such as sewer, water and transportation facilities). Embody the spirit of traditional neighborhoods, such as sense of place, human connectivity and safety.²

The approved zoning classifications are R-20 (the current zoning applicable to the County), R-15, and P-D. These are all residential classifications similar to our client's adjacent properties. We believe the existing zoning and planning is constitutional, and it would be unconstitutional to so drastically deviate from that planning for the benefit of one applicant to the detriment of the adjacent residential landowners. Moreover, making decisions that are consistent with the planning is essential to having enforceable zoning throughout the City in future years. If you rezone in a manner that is not consistent with the City's planning here, it will be more difficult to deny inconsistent rezoning applications in the future. The applicant will point to the fact that there are established industrial uses on the north side of the subject property and that the application does not seek to rezone the southern half of the property. But of course, as soon as the City rezones the north, now the southern half of the property will be adjacent to industrial property, further undermining the City's ability to remain consistent with the comprehensive plan.

² Comprehensive Plan, page 50

November 10, 2015

Page 3 of 3

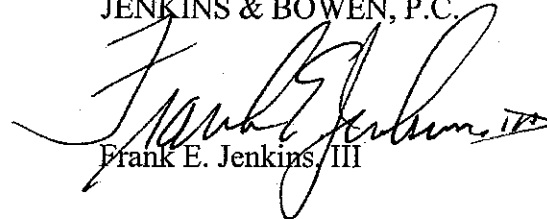
3. The applicant's traffic study is deeply flawed.

The traffic study presented to the City fails to consider the traffic signal that will likely be most adversely impacted by the siting of a distribution center on Old Mill Road. I am referring to the intersection of Old Mill Road and Etowah Drive. This intersection is already very busy in the morning peak time because two of the City's schools (Cartersville Primary and Elementary) are located on Old Mill near this intersection, along with Excel Christian Academy. In addition, the Cartersville Middle School is only a short way down Pine Grove Road. Thus, much of the City's school traffic will pass through this intersection one or more times every morning of the school year between 7 and 9 a.m. Likewise, east west traffic to the subject property will use Old Mill, passing through this intersection, and the above-named schools, on the most direct route to Georgia 113 and 61. The study is fundamentally flawed in failing to consider this proposed development's impact on the level of service of this intersection.

In summary, the City's existing zoning is constitutionally applied to the subject property; deviating from the comprehensive planning to benefit a developer at the expense of residents would be an unconstitutional exercise of the zoning power and a manifest abuse of the zoning power. We urge you to continue to stay the course and apply the sound zoning practices discussed above.

Very truly yours,

JENKINS & BOWEN, P.C.



Frank E. Jenkins, III

Enclosures

cc: Mr. David Archer (by facsimile)
Mr. Jeff Watkins (by facsimile)

Item # 2

EXHIBIT A

Herb and Rebecca Upton
13 Hepworth Lane
Cartersville, GA 30120

David & Erin Sinclair
431 Waterford Drive
Cartersville, GA 30120

Jeff & Sara Kellner
38 Galway Drive
Cartersville, GA 30120

Ted & Karen Boone
40 Galway Drive
Cartersville, GA 30120

David & Cynthia Hayes
415 Waterford Drive
Cartersville, GA 30120

Chris & Lisa Sward
433 Waterford Drive
Cartersville, GA 30120

Robby & Deena Stewart
4 Galway Drive
Cartersville, GA 30120

Brad & Stacey Wall
22 Hepworth Lane
Cartersville, GA 30120

Matthew & Danae Gambill
20 Hepworth Lane
Cartersville, GA 30120

Cory & Courtney Phillips
9 Galway Drive
Cartersville, GA 30120

Mark & Carol Wolfe
36 Galway Drive
Cartersville, GA 30120

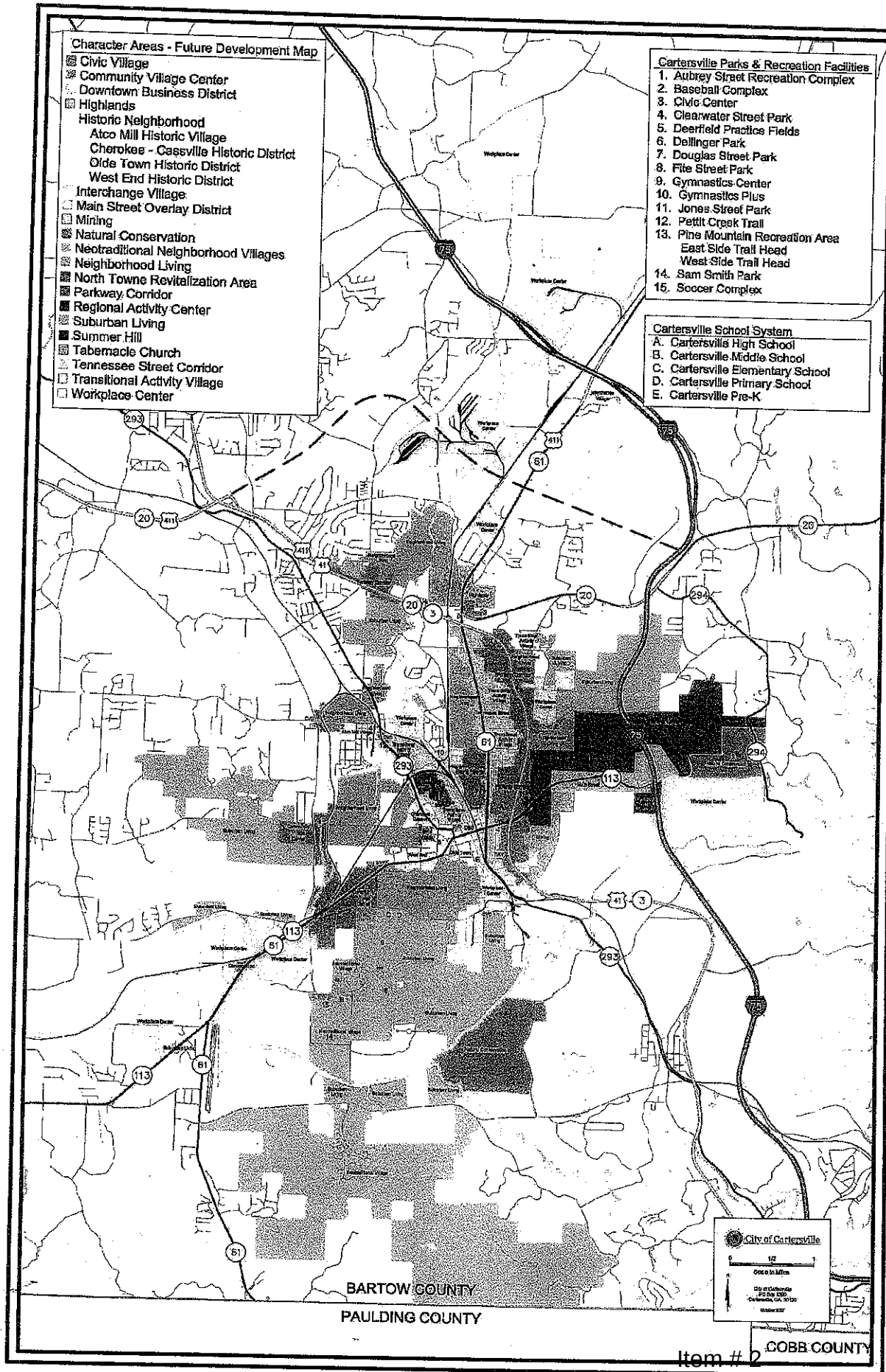
Brian & Angie Cahn
423 Waterford Drive
Cartersville, GA 30120

Donny & Jannae Cagle
32 Galway Drive
Cartersville, GA 30120

Steven & Leslie Chatman
416 Waterford Drive
Cartersville, GA 30120

Fred & Kathy Genrich
421 Waterford Drive
Cartersville, GA 30120

EXHIBIT B





City of Cartersville

PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120

Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

File # **Z15-04**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

(To be completed by Mayor, City Council, and Planning Commission)

TPA Group (Jeff Watkins, rep.) has made a rezoning request on the following property:
Approximately 63.5 acres located at 118 Old Mill Road in the 4th District, 3rd Section, Land Lots
625 and 672 from R-20 (Residential) to H-I (Heavy Industrial).

Pursuant to O.C.G.A § 36-67A-2 any local government official considering a rezoning request must disclose if he has any of the following interest:

1. A Property interest in any real property affected by a rezoning request.
 Yes _____ No _____ If the answer is Yes, please disclose the nature and extent of such interest.

2. A financial interest in any business entity which has a property interest in any real property affected by a rezoning action.
 Yes _____ No _____
 If the answer is Yes, please disclose the nature and extent of such interest.

3. A spouse, mother, father, brother, sister, son, or daughter with either of the above interests.
 Yes _____ No _____ If the answer is Yes, please disclose the nature and extent of such interest.

TITLE: _____

DATE: _____



City of Cartersville

City Council Meeting

2/4/2016 7:00:00 PM

File AZ16-01: Annexation/Rezoning application by Paul Melvin King for property located at 115 Cherokee Circle (approximately 2.2 acres) from County A-1 (Agricultural) to Cartersville R-20 (Single Family Residential). (City Donut Hole Initiative)

SubCategory:	Public Hearing - 2nd Reading of Zoning/Annexation Requests
Department Name:	Planning and Development
Department Summary Recommendation:	The subject tract is approximately 2.2 acres with a single-family home, and is located at 115 Cherokee Circle south of the intersection with Indian Trail near Dellinger Park. This property is part of a larger donut hole of properties on Cherokee Circle and Indian Trail. The owner is selling the house on approximately 1 acre and retaining the remaining acre. As zoned agriculture in Bartow County, it may be unusual since there is little or no actively used agriculture land on Cherokee Circle – there are mostly single-family residences on large lots. The property would, if annexed, be zoned R-20 (Single-family Residential). Planning Commission recommended approval of both the annexation and zoning.
City Manager's Remarks:	Your approval of this rezone/annexation request is recommended by the Planning Commission. This item is unchanged from first reading.
Financial/Budget Certification:	
Legal:	
Associated Information:	

ZONING & ANNEXATION SYNOPSIS

Petition Number(s): **AZ16-01**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Paul King (City annexation "donut hole" initiative)**

Representative: **None**

Property Owner: **Paul Melvin King**

Property Location: **115 Cherokee Circle**

Access to the Property: **Cherokee Circle off Indian Trail**

Site Characteristics:

Tract Size: Acres: **2.2 acres** District: **4th** Section: **3rd** LL(S): **701, 740**

Ward: **3** Council Member: **Louis Tonsmeire, Sr.**

LAND USE INFORMATION

Current Zoning: **County A-1 (Agricultural)**

Proposed Zoning: **R-20 (Single-family Residential)**

Proposed Use: **Annex for City services/schools**

Current Zoning of Adjacent Property:

North: **City R-20 (Single-family Residential) and A-1 (Agriculture) County**

South: **City R-20 (Single-family Residential)**

East: **County A-1 (Agriculture) and A-1 (Agriculture) County**

West: **City R-20 (Single-family Residential)**

The Future Development Plan designates the subject property as: **Suburban Living with recommended zoning districts R-20 and R-15.**

ZONING ANALYSIS

City Departments Reviews

Water and Sewer:

WATER SERVICE COMMENTS:

This property is located in the City of Cartersville Water Department's service area. The existing residence is a Cartersville Water Department Customer. The requested annexation will qualify the customer for 'inside City' water rates which are lower. Annexed customers are responsible for notifying the City's Customer Service Office and applying for the lower water utility rate.

SEWER SERVICE COMMENTS:

This property is located in the City of Cartersville Water Department's sewer service area. Sewer service to the existing residence is by septic tank. If the lot is subdivided or if a new house is constructed on the lot, it will be required to connect to the sanitary sewer system. This will require a sewer line extension of approximately 190 feet at the owner's expense.

Public Works:

Public Works takes no exception. However, please note that individual residential lots within the city will incur a stormwater fee. Also, there is Bartow County Regulatory Floodplain on the rear of this lot. Further development will be required to meet the City of Cartersville Floodplain Ordinance.

Gas:

The Gas System takes no exception.

Electric:

No objections.

Fire:

No objections.

Police:

The PD has no issue with the annexation of that property.

Bartow County government was sent information regarding the annexation request and the City received no objection to the application. The property is currently zoned A-1 (Agricultural) and is identified on the County's Future Land Use Map as Low Density Residential.

The subject tract is approximately 2.2 acres with a single-family home, and is located at 115 Cherokee Circle south of the intersection with Indian Trail near Dellinger Park. This property is part of a larger donut hole of properties on Cherokee Circle and Indian Trail. The owner is selling the house on approximately 1 acre and retaining the remaining acre. As zoned agriculture in Bartow County, it may be unusual since there is little or no actively used agriculture land on Cherokee Circle – there are mostly single-family residences on large lots. The property would, if annexed, be zoned R-20 (Single-family Residential).

STANDARDS FOR EXERCISE OF ZONING POWERS.

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
The proposed R-20 zoning may permit a use that is suitable in view of the existing residential development of adjacent properties.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The proposed R-20 zoning may not create an isolated district since there are adjacent and nearby properties that are zoned R-20.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The R-20 zoning proposal may not adversely affect the existing use of adjacent properties.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
As currently zoned Agriculture (A-1) in unincorporated Bartow County, it may not have a reasonable economic use since there is little or no actively used agriculture land on Cherokee Circle – there are mostly single-family residences on this road.
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The zoning proposal may not cause an excessive use of existing streets and facilities. Public Works has pointed out that annexed properties will incur the City's stormwater fees and noted that there is Bartow County Regulatory floodplain to the rear of the property. The Water Department also noted that any future home would be required to connect to the City's sewer system at the owner's expense. Staff would review any future development based on possible use on roads, utilities, and other factors.
- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*
The proposal is in conformity with the Future Development Map.

- G. Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.

The R-20 zoning proposal may not result in a use which could adversely affect the environment. Utility, Public Works, and Planning & Development staff would review any future development based on possible environmental factors related to use.

- H. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Based on the overall goal of the City Public Safety departments to have donut hole properties annexed into the City limits, along with the applicant's desire to have this property zoned large-lot single-family residential R-20 (in conformity with adjacent properties), it may be appropriate for the subject tract to be within the City's jurisdiction.

RECOMMENDATION

Staff has no objections.

PLANNING COMMISSION RECOMMENDATION:

Annexation: Approval

Zoning: Approval

Application for Annexation / Zoning

Planning and Development Department
10 North Public Square
City of Cartersville
(770) 387-5600

Application Number AZ16-01

Hearing Dates PL= 1/12/16
ICC= 1/21/16, ZCC= 2/4/16

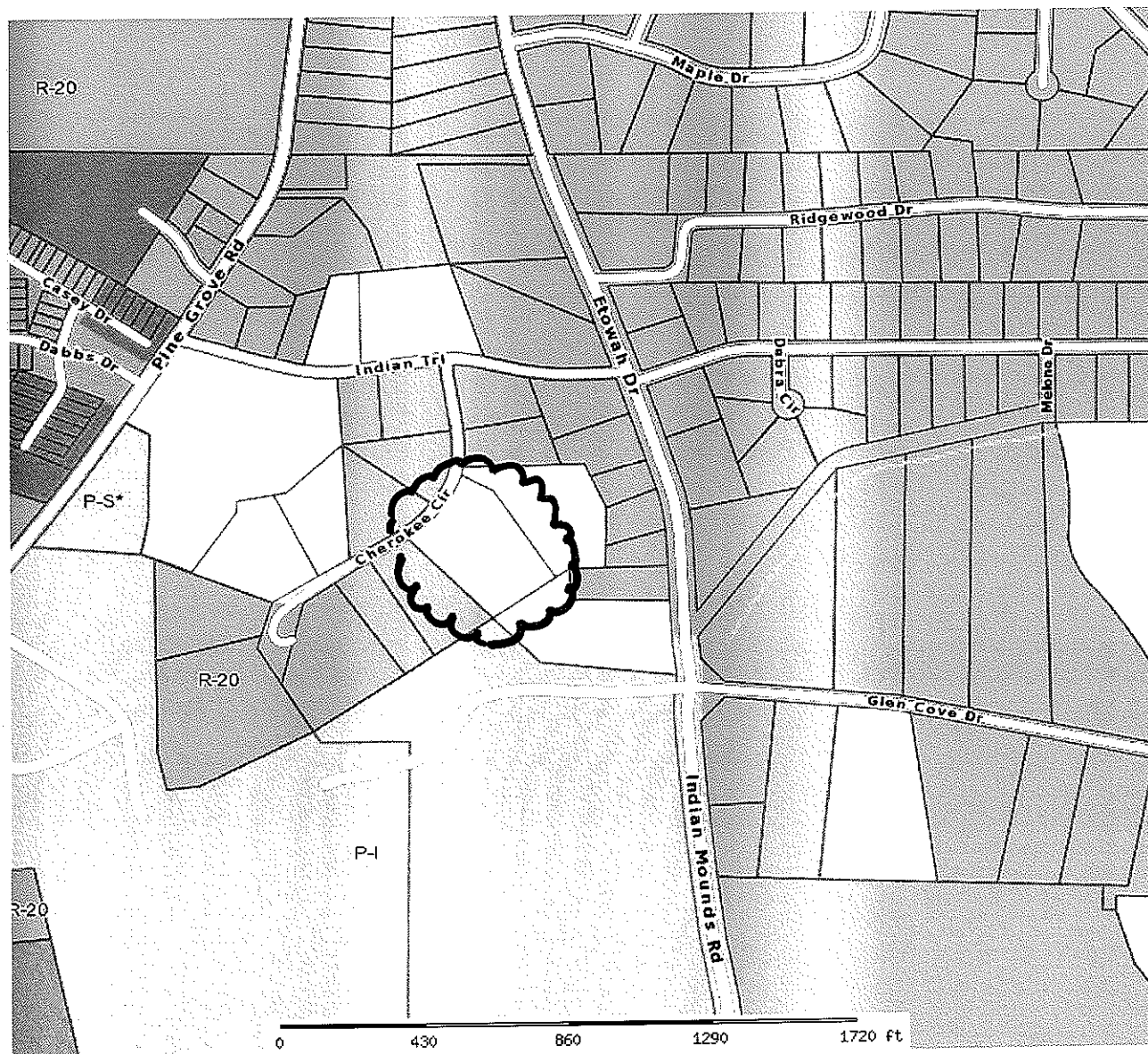
Applicant <u>Paul Melvin King</u> (applicant's printed name)		Business/Cell Phone <u>770-595-2888</u>	
Address <u>170 Sandridge Court</u>		Home Phone _____	
City <u>Alpharetta</u>	State <u>Ga</u>	Zip <u>30022</u>	Email <u>pmking21@bellsouth.net</u>
Representative's printed name (if other than applicant) <u>N/A</u>		Phone _____	Fax # _____
Representative's signature <u>N/A</u>		Applicant's signature <u>Paul Melvin King</u>	
Signed, sealed and delivered in presence of <u>Samantha Dover</u>		My commission expires: <u>1-2-19</u>	
Notary Public <u>Samantha Dover</u>			

Titleholder <u>Paul Melvin King</u> (titleholder's printed name)	Business <u>NA</u>	Home <u>770-595-2888</u> <u>678-549-3771</u>
*attach additional notarized signatures as needed on separate application page Address <u>170 Sandridge Court Alpharetta, Ga 30022</u>		
Signature <u>Paul Melvin King</u>		
Signed, sealed, delivered in presence of <u>Samantha Dover</u>		
Notary Public <u>Samantha Dover</u>		
My commission expires: <u>1-2-19</u>		

Requested City Zoning <u>R-20</u>			
Acreage <u>2.2</u>	Land Lot(s) <u>701+740</u>	District(s) <u>4</u>	Section(s) <u>3</u>
Location of Property <u>115 Cherokee Cr.</u> (street address, nearest intersections, etc)			
Reason for requested Annexation / Zoning: <u>City schools</u> (attach additional statement as necessary)			

Attach a copy of a current boundary survey showing metes and bounds and indicating all existing site improvements and confirmation of the availability of all public utilities. Said site must meet the proposed zoning district development standards and access requirements of the City's regulations.

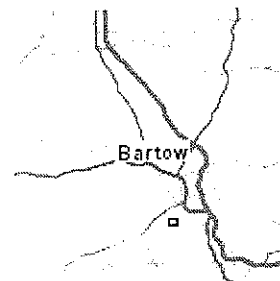
AZ16-01



Bartow County Assessor

Parcel: undefined Acres:

Name:		Land Value:	0
Site:		Building Value:	0
Sale:		Misc Value:	0
		Total Value:	0
Mail:			

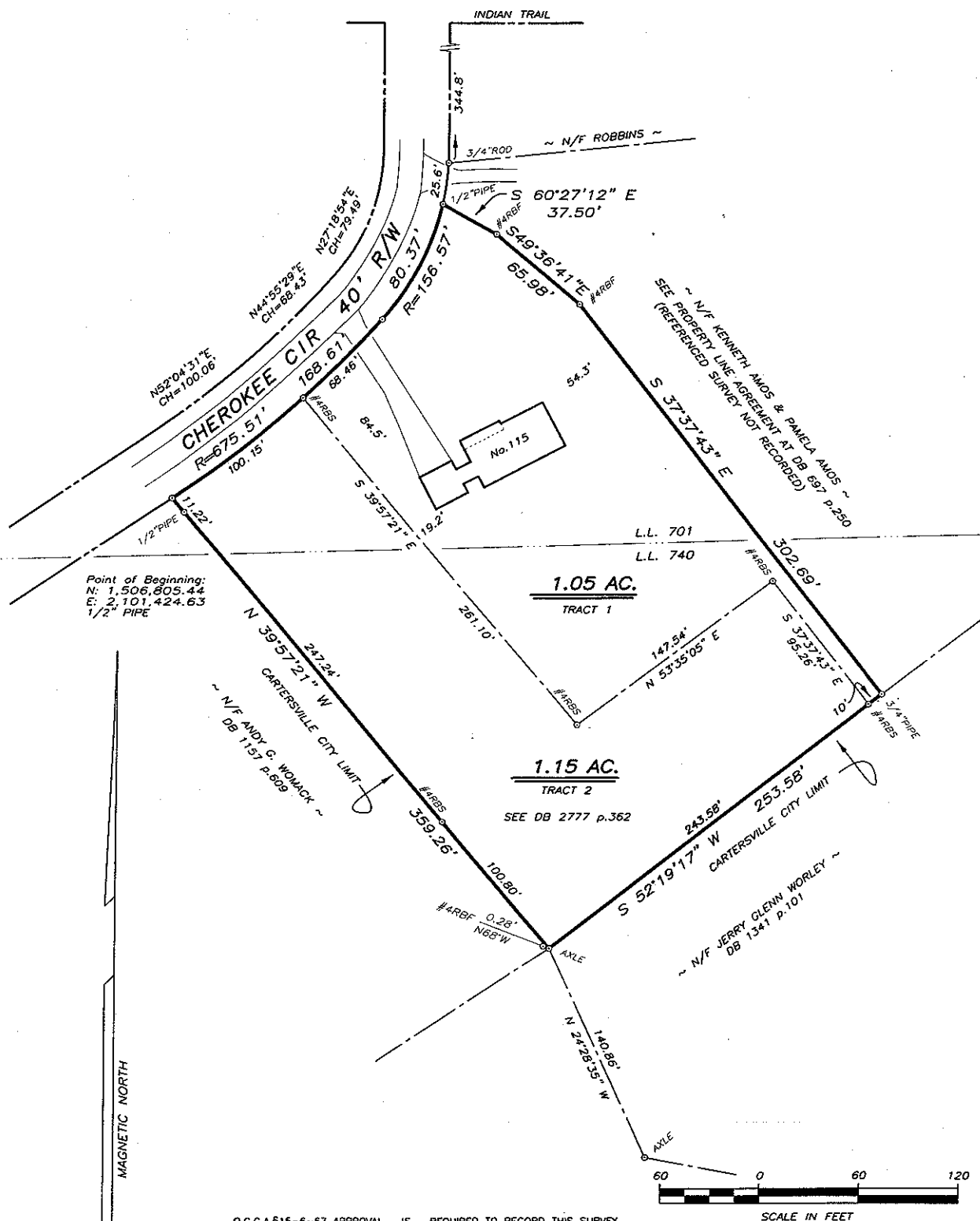


The Bartow County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER BARTOW COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 01/04/16 : 11:56:59

Item # 3

AZ16-01



O.C.G.A. §15-6-67 APPROVAL IS REQUIRED TO RECORD THIS SURVEY

DATE	: 06-26-15
SCALE	: 1"=60'
DRAWN BY	: DTB
CHECKED BY	: DTB 11-18-15
015\king	: 11-17-15

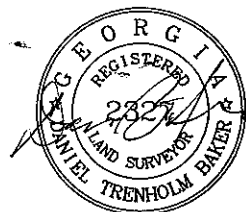
DANIEL BAKER, PC
LAND SURVEYORS

Post Office Box 2047
 CARTERSVILLE, GEORGIA 30120
 (770) 382-5969

BOUNDARY SURVEY FOR:

PAUL MELVIN KING
DAVID ALAN KING

LOCATED IN L.L. 701 & 740
 4th DIST., 3rd SECT.,
 BARTOW COUNTY, GA.



SURVEYOR'S CERTIFICATE

That the undersigned a Georgia Registered Land Surveyor on behalf of the above annexation applicant do certify the following:

- 1) That the attached survey contains no fewer than four surveyed map regulation points and recorded with the Georgia Coordinate System of 1985.
- 2) That the attached survey shows the boundaries of the area being annexed and the existing boundaries of the area being annexed and the existing boundaries of the annexing municipality between the points at which these boundaries close, if applicable.
- 3) That the attached survey meets the requirements of O.C.G.A. 15-6-67 and Section 180-7-01 Technical Standards for Property Survey, Rules and Regulations of the State of Georgia.
- 4) That the map demarcation of the map registration points are well distributed along, within, or near the boundary of the annexed area.
- 5) That at least one-eighth of the aggregate external boundary or fifty (50) feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary if it were not otherwise separated from the municipal boundary by other lands owned by the municipal corporation, by lands owned by this State, or by the definite width of any street or street right-of-way; any creek or river; any right-of-way of a railroad or other public service corporation, which divides the municipal boundary from any area proposed to be annexed.

Date 2015-11-18

Dan Baker

Georgia Registered Land Surveyor 2327



ZONING ADMINISTRATOR: 1.

Annexation number:

2. Yes No

The above property complies with the City of Cartersville minimum size requirements to construct a building or structure occupiable by persons or property under the policies, ordinance, or regulations of the City of Cartersville.

3. Survey attached.

Date

Zoning Administrator

Item # 3

City of Cartersville Annexation / Zoning AnalysisPetition number AZ16-01

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Property Owner(s) Paul Melvin King Phone number 775-595-2888Petitioner Same Owner's address 120 Sandridge CourtAlpharetta, GA 30022Property Location 115 Cherokee Circle Tract Size 2.2 acresDistrict 4 Section 3 LL(s) 701+740Tax Map # 0073A 001009 Parcel(s) _____ Ward(s) 3Current Land Use Residential Proposed Land Use ResidentialCurrent Zoning A1 Proposed Zoning R20

Specifics of Proposed Use

Number of Dwelling Units 1 Number of Occupants ~~3~~ 0Racial Composition N/A (VACANT)Number of school-aged children 0Grade Level(s) of school-aged children 0School System to be Attended 0Owner-Occupied: Yes _____ No VACANT

Utility Service (City, County, Georgia Power, Atlanta Gas, etc)

1. Water City2. Sewer Septic3. Gas City4. Electricity GA. Power



City of Cartersville

PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120
Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

File # **AZ16-01**

DISCLOSURE OF INTERESTS BY LOCAL OFFICIAL

(To be completed by Mayor, City Council, and Planning Commission)

Paul King has made an annexation and zoning request on the following property: Approximately 2.2 acres located at 115 Cherokee Circle in Land Lots 701 & 740, 4th District, 3rd Section, to annex and zone property from Bartow County A-1 (Agriculture) to City R-20 (Single-family Residential).

Pursuant to O.C.G.A § 36-67A-2 any local government official considering a rezoning request must disclose if he has any of the following interest:

1. A Property interest in any real property affected by a rezoning request.
Yes _____ No _____ If the answer is Yes, please disclose the nature and extent of such interest.
2. A financial interest in any business entity which has a property interest in any real property affected by a rezoning action.
Yes _____ No _____
If the answer is Yes, please disclose the nature and extent of such interest.
3. A spouse, mother, father, brother, sister, son, or daughter with either of the above interests.
Yes _____ No _____ If the answer is Yes, please disclose the nature and extent of such interest.

TITLE: _____

DATE: _____



City of Cartersville

City Council Meeting
2/4/2016 7:00:00 PM
Amendment to Utility Fees Ordinance

SubCategory:	First Reading of Ordinances
Department Name:	Finance
Department Summary Recommendation:	In June 2015, Council signed a contract with Invoice Cloud to process our payments. We are getting to the go-live date with Invoice Cloud, and an amendment to the city's utility fee ordinance needs to be made. The city currently charges 2.5% per transaction for the convenience fee. When we go live with Invoice Cloud, they will be charging a flat \$3.95 per transaction for the convenience fee. The city needs to amend it's fee structure to reflect the new charge of \$3.95 from Invoice Cloud instead of the 2.5%. We plan on going live with Invoice Cloud in the next week and I ask that this ordinance amendment be made as an emergency reading in order to be consistent with Invoice Cloud. The attached ordinance amends the fee amount. I recommend approval of the ordinance amendment.
City Manager's Remarks:	Your approval of this item is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Ordinance
of the
City of Cartersville, Georgia

Ordinance No.

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that the Code of Ordinances City of Cartersville, Georgia CHAPTER 24. UTILITIES, Sec. 24-21. Schedule of Charges, etc., (14) i. Additional charges is hereby amended by deleting said section in its entirety and replacing as follows:

Section 24-21. Schedule of Charges, etc.
"(14) Additional charges.

- i. City customers who pay for utility bills and other city invoices with a credit or debit card will be charged a flat convenience fee of \$3.95 per transaction.**

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED this the 4th day of February 2016. Emergency Reading

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk

Item # 4



City of Cartersville

City Council Meeting

2/4/2016 7:00:00 PM

Approval of Board Appointments for Downtown Development Authority

SubCategory:	Appointments
Department Name:	Downtown Development Authority
Department Summary Recommendation:	There are two vacant positions on the DDA Board: one due to a term ending and one due to resignation. Two applications have been received by individuals interested in filling those positions. State law mandates that all candidates for appointment to DDA boards meet certain requirements for residency and/or association with downtown. Both candidates meet this requirement as residents of Cartersville and one applicant, Mary Ann Henry, is also a downtown business owner. Pam Wilson currently serves on the Cultural Arts Alliance board but wants to be involved in a more active board. Mary Ann Henry has already been volunteering with the DDA on multiple committees and has contributed a great deal to our work during that time. Both candidates express an active interest in becoming involved with and contributing to the work of the DDA and both candidates have the experience needed to be successful as board members. Staff recommends approval of both applicants for appointment to the DDA Board.
City Manager's Remarks:	
Financial/Budget Certification:	
Legal:	
Associated Information:	

DDA Board Member Application

1. Name: Pamela Wilson
2. Address: 320 West Avenue, Cartersville, GA 30120
-
3. Phone: (Day) 678-371-6865 (Evening) 678-371-6865 (Cell) 678-371-6865
4. Email: psw@reinhardt.edu
5. Resident of: (Cartersville) yes (Bartow County) yes (Other) _____
6. Duration of residency: 13 years
7. Are you the owner or representative of a licensed downtown business? no
8. Name of business: _____
9. Address of business: _____
10. How long has the business been licensed? _____
11. Where are you currently employed? Reinhardt University, Waleska, GA
12. What is your current position? Professor of Communication and Media Studies
13. How long have you been with this company? 16 years

Either in the space below, or on an attachment, please list any special skills or experience that you feel would strengthen the Downtown Development Authority. (*Professional experience, previous board experience, volunteerism, personality characteristics, et cetera may all be considered.*)

Please see attachment

Either in the space below, or on an attachment, please outline your “vision” for the future of downtown Cartersville and how you can contribute to that process.

Please see attachment

I have read and fully understand this application for the Cartersville Downtown Development Authority Board. I am willing to make a Board level commitment to the revitalization of downtown Cartersville. I understand that this is an advisory role to help determine policy issues and that the Downtown Development Manager will serve in administrative capacities for the DDA.

Pamela Wilson

Signature

January 18, 2016

Date

Please return completed application to:

Cartersville DDA
Attn: Lillie Read
1 Friendship Plaza
Cartersville, GA 30120
770.607.3690 (fax)
770.607.3576 (phone)

Or submit electronically to: lread@downtowncartersville.org

PAMELA WILSON
320 West Avenue
Cartersville, Georgia 30120

January 18, 2016

Dear DDA Board members,

I am happy to submit my application to serve on the DDA Board. I'm eager to take a more active role in helping to develop the gem of a community we have in Cartersville, and for me the Downtown is the very heart and soul of this city.

When I first moved to Georgia in 1999, I started out living in the suburban sprawl of East Cobb County since it was halfway between my job as a professor at Reinhardt College (now University) in Cherokee County and the city of Atlanta. Several years later, however, I grew tired of the cookie-cutter cul-de-sac lifestyle and decided I needed to find a house that was historic and distinctive in a community that was likewise historic and distinctive. A friend recommended that I explore Cartersville. On my first drive through the town, I fell in love with the downtown square, and then as I began to explore the older residential areas, I knew I had found my future home. The next week I came back to further explore, and driving through Olde Town neighborhood on West Avenue, I passed a 1920s cottage with giant oak trees and saw a For Sale sign in the yard. Driving around the block, I stopped dead in the middle of the road and stared at the house. This is where I need to live, I told myself. I would make it happen.

That was in the summer of 2002. Fourteen years later, I'm still happily living in that house, and Cartersville has become my cherished hometown. I still drive through the Downtown Square every day just so I can look at it, because it makes my heart glad. I've raised a son here and proudly tell everyone I meet about what a wonderful and perfect small town I live in. As the years have gone by, I've spent less time shopping in Atlanta/Marietta/Kennesaw and increasing time (and money) patronizing the restaurants and businesses of Cartersville. I've become an avid advocate for and supporter of local small businesses, and my favorite restaurants are all within a mile or two of my home.

My vision for the future of this city is to continue to create and maintain a vibrant and appealing downtown center for commerce that attracts distinctive and top quality restauranteurs, shopkeepers and artisans to occupy the historic downtown spaces and create new ones as needed—to make Downtown Cartersville “everyone’s favorite living room”: a place where they know something is always happening. I want to see the space of the Public Square constantly alive with events, festivals and concerts, with outdoor dining, music and dance in pleasant weather, with tasteful, informative signage, décor, and public art and sculpture wherever people look. I want the Historic Downtown and its beautiful, well-preserved architecture to be the beating, pulsing heart of the arts and culture of Cartersville—a place where residents and tourists alike will flock like a magnet to just hang out because it feels so exciting just to BE here.

Who am I and how can I help the DDA to make this and other visions happen? I'm a writer and an artist (photographer) and patron of the arts. I'm a historian who is deeply fascinated by architecture and design. I'm a professor of communication and media studies who understands how important the use of diverse channels of media communication can be (both traditional and social media). In an earlier professional life, I directed community development and public

relations for a nonprofit organization in several states. I can write grant proposals, and I'm a great copy editor as well as a prolific researcher.

I'm currently serving on the board of the Cultural Arts Alliance, which is where I met Earline and have come to learn more about the DDA and its mission. I'm very interested in working on historic preservation and development of the arts and festivals, in particular. I've been a longtime member and supporter of community theatre in Cartersville and involved in the Pumphouse Players in various capacities (my husband, Dave Boggess, has been President or Vice President for many of the past 8 years or so).

As a connoisseur of small-town America, I travel a lot, so I am constantly comparing Cartersville to other cities I visit. Over the holidays last month, while spending a week in northern Louisiana, I heard about a small city in Arkansas called El Dorado that had recently revitalized its downtown, so I drove several hours to visit it. The downtown area was much smaller than Cartersville's Public Square, though the city's population is similar, but they had done marvelous visual things to make the square extremely appealing (see <http://www.mainstreeteldorado.org/>), such as lighting, tree-planting, installation of public sculptures and colorful signage. Their square had distinctive shops and lively eating establishments. There, I saw the relative advantages we have in Cartersville, since our town has such a spacious staging area in our Square; I realized how much we could do to continue to brighten up and make our Downtown area appealing and attractive.

Another project I am eager to discuss is the creation of a New Year's Eve festival in Downtown Cartersville. Over the years, I've attended such events in a number of cities of various sizes, from Charlottesville and Staunton, Virginia to Asheville, North Carolina to Pittsburgh Pennsylvania. They combined music, dance and theater performances, hands-on activities, "taste of" food booths and many more into a wonderful array of experiences that welcomed everyone from singles to families in a family-friendly atmosphere and brought everyone downtown for that most special evening of the year. An organization called First Night America was previously sponsoring these and may retain ownership over the "First Night" name, but I believe now that most of the cities have created their own First Night nonprofit organizations or have spun them off with different names based upon the same concept. A good web page that exemplifies the concept in a small town is <http://www.firstnightmonterey.org/> from Monterey, California.

So much has already been done in the past decade to develop and enrich the core of Cartersville as a community of distinction, and I applaud the city leaders, business owners and volunteers who have made those things happen. I would very much like to be a part of the team moving ahead and shaping a vision for the future.

Thank you for considering my application.

Sincerely,



Pamela Wilson (Ph.D.)

DDA Application

1. Name: MARY ANN HENRY
2. Are you a resident of the city of Cartersville? YES
3. Address: 15 LEE STREET
City, County, Zip CARTERSVILLE GA 30120
4. Phone: (Day) 770 843 0887 (Evening) _____ (Cell) 770 843 0887
5. Email: MARYANNHENRYART@GMAIL.COM
6. How long have you have been a resident in the city of Cartersville?: 10 County?: 13
7. Are you a licensed business owner in the city of Cartersville? YES
8. Business Name: CARTERSVILLE ARTISAN STUDIO
9. Business Address: 21 E MAIN ST. CARTERSVILLE GA 30120
10. How long has the business been licensed by the city? 3 MTHS
11. Where are you currently employed? What is your current position? How long have you been with this company? (A resume may be attached to provide further professional information)
CARTERSVILLE ARTISAN STUDIO - OWNER - 3 MTHS

12. Either in the space below or on an attachment, please list any special skills or experience that you feel would be strengths for the Downtown Development Authority. (Professional experience, previous Board experience, volunteerism, personality characteristics, etc.)

I HAVE EXPERIENCE AS A COORDINATOR FOR FESTIVAL 34/84 WHICH WAS A FINE ARTS FESTIVAL HELD IN DOWNTOWN CARTERSVILLE.

13. In the space below or on a separate attachment, please list your "vision" for the future of downtown Cartersville, and how you think Cartersville could work towards these goals. How can you help this process?

I WOULD LIKE TO SEE ART FLOURISH IN THE DOWNTOWN TO FURTHER ATTRACT VISITORS. I FEEL I HAVE IDEAS AND EXPERIENCE COORDINATING EVENTS.

I have read and fully understand this application for the DDA Board. I am willing to make a Board level commitment to the revitalization of Downtown Cartersville. I understand that the DDA will determine policy issues and that the Director of Downtown Development will serve in administrative capacities.



Signature

1-2-16

Date

Please complete and return to Cartersville DDA, Attn: Tara Currier

1 Friendship Plaza, Cartersville, GA 30120 – tcurrier@downtowncartersville.org – 770.607.3690(fax) – 770.607.3576(direct)



City of Cartersville

City Council Meeting
2/4/2016 7:00:00 PM
Time Change for Civic Youth Day March 17, 2016

SubCategory:	Resolutions
Department Name:	City Manager
Department Summary Recommendation:	This is an annual occurrence allowing the City Council to accommodate Civic Youth Day. This year Civic Youth Day is scheduled for March 17, 2016 so the time of the meeting is changed from 7 PM to 9 AM.
City Manager's Remarks:	Your approval of this meeting time change is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	

Resolution No.

WHEREAS, The Mayor and City Council has determined that it is in the best interest of the City of Cartersville and it's inhabitants and their general health, safety and welfare to reschedule the below referenced meeting of the Mayor and City Council pursuant to the authority provided by the CODE OF ORDINANCES, CITY OF CARTERSVILLE, GEORGIA; and

THEREFORE, NOW BE IT RESOLVED, by the Mayor and City Council of the City of Cartersville that the meeting of the Mayor and City Council scheduled on the 17th day of March, 2016 at 7 PM in pursuant to Section 2-17 of the City of Cartersville Code of Ordinances is hereby rescheduled to the 17th day of March, 2016 at 9 AM.

NOW BE IT AND IT IS HEREBY RESOLVED.

ADOPTED this February 4, 2016

/s/ _____
Matthew J. Santini
Mayor

ATTEST:

/s/ _____
Connie Keeling
City Clerk



City of Cartersville

City Council Meeting
2/4/2016 7:00:00 PM
Hotel/Motel Tax Increase

SubCategory:	Resolutions
Department Name:	Administration
Department Summary Recommendation:	The city is currently collecting hotel/motel tax at 6%. The proposed resolution will ask the State Legislature to allow Cartersville (and Bartow County) to increase this tax to 8%. Our neighboring communities, including cities of Acworth, Calhoun, Dalton, Kennesaw and Marietta along with Cobb County are already at 8%. Currently the city collects approximately \$83,000 annually for every 1% of tax. If this average holds true then it would mean approximately \$249,000 additional annual tax collected. Per State law these funds must be sent for tourism product development. Staff recommends approval of this resolution.
City Manager's Remarks:	Your approval of this resolution is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting

2/4/2016 7:00:00 PM

Geo Hydro Engineers Subsurface Exploration Agreement

SubCategory:	Bid Award/Purchases
Department Name:	Fiber
Department Summary Recommendation:	City staff has received a proposal from Geo Hydro Engineers for the subsurface exploration of the northwest corner of the Cook Street property (adjacent to the electric substation) for a potential spot to relocate the Fiber Department building. The field exploration and report is at a cost of \$4,160 and if this site has potential sinkhole issues then we would like to pursue looking at the southwest corner of this property with a exploration cost of \$1,200. There are some potential additional costs if they have to drill in excess of 120 feet and if they have to backfill some of the test holes, so I am requesting approval of this agreement with a not to exceed price of \$7,500.
City Manager's Remarks:	Your approval of the agreement outlined above with Geo Hydro for further exploration of the sink hole site is recommended.
Financial/Budget Certification:	This is not a budgeted item but will be paid from Fiber Department.
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
2/4/2016 7:00:00 PM
Barracuda Email Archive Annual Support

SubCategory:	Bid Award/Purchases
Department Name:	Fiber
Department Summary Recommendation:	The city uses a company called Barracuda for our email archive system that allows us to maintain emails for five years. The annual maintenance support for this product is \$7,348 and I request approval to pay this renewal invoice.
City Manager's Remarks:	Your approval of support via Barracuda in the amount of \$7,348.00 is recommended.
Financial/Budget Certification:	This is a budgeted item.
Legal:	
Associated Information:	



QUOTATION

Quote #: 175141
Prepared By: Charlene Juvera

Date: 2016-01-07
Expires: 2016-02-06

Bill To:

City of Cartersville
 Accounts Payable
 1 North Erwin St.
 Cartersville, GA 30120
 United States
 (770) 607-6299
 sgrier@cityofcartersville.org

Ship To:

City of Cartersville
 Steven Grier
 1 North Erwin St.
 Cartersville, GA 30120
 United States
 sgrier@cityofcartersville.org

Item #	Item Description	Qty	Unit Price	Price (USD)
BMA650a-e1	Barracuda Message Archiver 650 1 Year EU BAR-MA-597829	1	4,049.00*	4,049.00*
BMA650a-h1	Barracuda Message Archiver 650 1 Year IR BAR-MA-597829	1	3,299.00*	3,299.00*

EU = Energize Updates
 IR = Instant Replacement
 PS = Premium Support
 * = not taxed

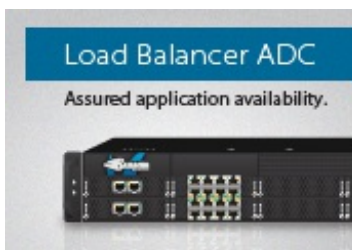
Total: **7,348.00**

We look forward to providing you a powerful and easy to use security solution. If you have any questions please do not hesitate to contact us.

Sincerely,

Charlene Juvera
 cjuvera@barracuda.com
 408-342-5400 phone
 408-342-1061 fax

- Credit Card payment or Net 30 days with approved credit or credit card guarantee.
- You are responsible for all sales taxes, withholding taxes, value added taxes, import and export taxes and any other similar taxes imposed by any federal, state, provincial or local governmental entity of this purchase.
- Services are provided pursuant to Barracuda Networks, Inc. Terms and Conditions located at <https://www.barracuda.com/legal/customer-purchase-terms>



Barracuda Networks

+1 408 342 5400 / 888 268 4772



City of Cartersville

City Council Meeting
2/4/2016 7:00:00 PM
CityView Software

SubCategory:	Bid Award/Purchases
Department Name:	Planning & Development
Department Summary Recommendation:	The Planning and Development Department currently has the capabilities to track business licensing and building permits through Cogsdale utility software but this software is very limited and does not provide the Department with reports that are meaningful and useful. Over the past few years city staff has been evaluating options for business licensing, building permits and inspections and code enforcement tracking software. After evaluating software that is available to us, the best choice is CityView software. This software will integrate with Cogsdale utility software but will allow us much more functionality and more tools to report and track permits, licenses, and code enforcement issues. City staff recommends the purchase of CityView software along with some additional hardware memory that our Fiber Department states is needed to allow this software to function properly on the city's computer servers. The total cost of the CityView software is \$89,420 for the software plus estimated travel costs of \$9,000 for a total of \$98,420. The additional server memory will cost \$3,601. Total estimated cost for all items is \$102,021.
City Manager's Remarks:	Your approval of the items outlined above is recommended.
Financial/Budget Certification:	This is capital item and budgeted at \$103,500.00.
Legal:	City Attorney has reviewed and approved this agreement.
Associated Information:	



City of Cartersville

City Council Meeting

2/4/2016 7:00:00 PM

GDOT Supplemental LMIG Application for Off System Safety Project

SubCategory:	Grant Application/Acceptance
Department Name:	Public Works
Department Summary Recommendation:	GDOT has recently called for applications for a Supplemental Local Maintenance Improvement Grant (LMIG) for the purposes of an Off-System Safety Project (OSSP). We are seeking permission for the Mayor to sign the cover letter, grant application and any other associated documents. The grant is for thermoplastic striping and raised pavement markers for 52 City Streets for a total of \$295,167.00. The 30% match requirement will be made with in kind work consisting of crack filling, roadway patching and sidewalk repair valued at \$88,550. The in-kind work is normal budgeted work, no other budget implications are anticipated.
City Manager's Remarks:	We will use 'in kind' to match this, meaning it will have no budget impact. Your approval of this application is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

P U B L I C W O R K S

January 20, 2016

Georgia Department of Transportation
One Georgia Center
Local Grants Office
600 West Peachtree Street, NW
Atlanta, Georgia 30308

Re: City of Cartersville
2016 **SUPPLEMENTAL** LMIG Application

In response to your recent request for OSS Project Supplemental LMIG applications, we would like to apply for \$295,167.00 to install thermoplastic striping and raised pavement markers on 52 City Streets for safety improvement.

The proposed match of \$88,550 is shown at the bottom of the project list and will be in kind services provided. Please find the following documents attached to this letter.

- 1)LMIG Application
- 2)Project List
- 3)Maps

Thank you for this opportunity and if you need any additional information please do not hesitate to contact us.

Sincerely,

Matthew J. Santini
Mayor
City of Cartersville



"Providing dependable service while preserving an exceptional quality of life."

P.O. Box 1390 • 330 South Erwin Street • Cartersville, Georgia 30120
Telephone: 770-387-5602 • Fax: 770-387-5697 • www.cityofcartersville.org

Item # 11



Revised 5/21/2014

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL
MAINTENANCE & IMPROVEMENT GRANT (LMIG)
APPLICATION FOR FISCAL YEAR 2016
TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.**

LOCAL GOVERNMENT INFORMATION

Date of Application: 1/20/2016

Name of local government: CITY OF CARTERSVILLE

Address: PO BOX 1390 CARTERSVILLE GA 30120

Contact Person and Title: TOMMY SANDERS PUBLIC WORKS DIR.

Contact Person's Phone Number: 678-855-1734

Contact Person's Fax Number: 770-387-5697

Contact Person's Email: TSANDERS@CITYOFCARTERSVILLE.ORG

Is the Priority List attached?

YES

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, MATTHEW J SANTINI (Name), the MAYOR (Title), on behalf of CITY OF CARTERSVILLE (local government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act of 1989 (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), and the Local Government Budgets and Audits Act (O.C.G.A. 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment ACT (TIA).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

Revised 5/21/2014

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL
MAINTENANCE & IMPROVEMENT GRANT (LMIG)
APPLICATION FOR FISCAL YEAR 2016**

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a roadway or bridge shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department's Standard Specifications of Transportation Systems (current edition), Supplemental Specifications (current edition), and Special Provisions.

Local Government:

109605
E-Verify Number

_____(Signature)

Sworn to and subscribed before me,

_____(Print)

This _____ day of _____, 20____.

Mayor / Commission Chairperson

In the presence of:

_____(Date)

NOTARY PUBLIC

SEAL:

My Commission Expires:

FOR GDOT USE ONLY

The local government's Application is hereby granted and the amount allocated to the local government is _____ Such allocation must be spent on any or all of those projects listed in the Project List.

This _____ day of _____, 20____.

Terry L Gable

Local Grants Administrator

CITY OF CARTERSVILLE 2016 OSSP

Street	From	To	Length	Striping	
Arrowhead Drive (CS081303&085403&097903)–	Etowah Drive to Old Mill Road		3105		\$5,175
Aubrey Street –	Cassville Road to South Erwin Street		2098		\$3,497
Bartow Street (CS084703&085603&085703) –	Thoroughbred Lane to Jones Street		6063		\$10,105
Boatner Avenue –	Bartow Street to Etowah Drive		1524		\$2,540
Browns Farm Road SR 113 to City Limits			3175		\$5,292
Burnt Hickory Road (CR243)–	Mission Road to West Ave(SR 61/113)		5271		\$8,785
Carter Street –	Douglas Street to Jones Street		2379		\$3,965
Clearwater Street –	Goodyear Avenue to Pilgrim Street		949		\$1,582
Clubview Drive -	Grassdale Road to Country Club Drive		1550		\$2,583
Collins Drive –	Joe Frank Harris Parkway(SR 3) to Tennessee Street (SR 61)		2259		\$5,648
Cook Street -	South Erwin Street to Boatner Drive		2160		\$3,600
Curtis Court –	Riverside Drive to Cul-de-sac		2220		\$3,700
Dixie Ave –	Ridge Row Drive to MLK Blvd		5706		\$9,510
Douglas Street –	Cherokee Avenue to Porter Street		4020		\$6,700
East Felton Road (CR229)–	Joe Frank Harris Parkway(SR 3) to Zena Drive		4827		\$8,045
Fiber Drive -	SR 113 to Browns Farm Road		2187		\$3,645
Fite Street -	SR 113 to SR 293		1741		\$2,902
Forrest Lane –	Tennessee Street to Dixie Avenue		1195		\$1,992
Gentilly Drive -	Joe Frank Harris Parkway(SR 3) to Tennessee Street (SR 61)		2643		\$6,608
Georgia Boulevard –	South Erwin Street – Thoroughbred Lane		2671		\$4,452
Gilmer Street/Jones Mill Road -	Tennessee Street to Grassdale Road		8522		\$14,203
Goodyear Avenue –	Cassville Road to Litchfield Street		2511		\$4,185
Grassdale Road (CR155)–	Magnolia Drive to Cassville Road(SR 293)		5966		\$9,943
Henderson Drive (CS087503) -	West Ave(SR 61/113) to Old Mill Road		1336		\$2,227
Hill Street –	Cassville Road to Mull Street		975		\$1,625
Industrial Drive –	South Erwin Street to Cul-de-sac		1911		\$3,185
Johnson Street –	Roosevelt Street to Bruce Street		2061		\$3,435
Jones Street –	Aubrey Street to Church Street		2648		\$4,413
Lee Street -	West Main Street to Cherokee Ave		800		\$1,333
Mayflower Street –	Sugar Valley Road to Mayflower Circle		2524		\$4,207
MLK JR Drive -	SR 3 to North Ave		4555		\$7,592
Morningside Drive –	Forrest Hill Lane to MLK Blvd		5515		\$9,192
Mull Street –	Aubrey Street to St. Francis Place		1000		\$1,667
Nelson Street –	Tennessee Street to Dixie Avenue		1677		\$2,795
Old Mill Road –	West Ave (SR 61/113) to South Erwin Street		10315		\$34,383
Opal Street –	Martin Luther King Boulevard to Tennessee Street		3550		\$5,917
Parr Wade Road -	SR 293 to City Limits		1770		\$2,950
Peachtree Street –	Joe Frank Harris Parkway to Tennessee Street		1242		\$2,070
Pine Grove Road/Walnut Grove Road			9289		\$15,482
Porter Street -	SR 61 to South Erwin Street		3856		\$6,427
Riverside Drive –	West Avenue to Cul-de-sac		3900		\$6,500
Rowland Springs Road (CS095303)–	Zena Drive to MLK Blvd		4886		\$8,143
South Ave -	Cook Street to Leake Street		1670		\$2,783
South Bridge Drive –	JFH Parkway to Old Mill Road		4170		\$13,900
St. Francis Place –	Jones Street to Cassville Road		1290		\$2,150
Stonewall Street –	Postelle Street to East Church Street		2068		\$3,447
Sugar Valley Road (CS096303)–	Burnt Hickory Road to Cassville Road(SR 293)		4332		\$7,220
Terrell Drive(CS080703) –	West Ave(SR 61/113) to Old Mill Road		2900		\$4,833
Thoroughbred Lane –	Starting Gate Drive to South Erwin Street		1000		\$1,667
Wansley Drive –	Zena Drive to Center Road		2402		\$4,003
West Main Street -	SR 113 to Granger Drive		1820		\$3,033
Zena Drive –	Joe Frank Harris Parkway to Bartow County Jail Driveway		3065		\$5,108
			163269		\$295,167
City Match Required (In Kind Services)					\$88,550
Crack Filling Various City Street	20 miles @\$2200 per mile				\$44,000
Roadway Patching Various Locations	120 tons asphalt @\$140 per ton				\$16,800
Sidewalk Repair Various Locations	800 SY @ \$35 per SY				\$28,000



City of Cartersville

City Council Meeting
2/4/2016 7:00:00 PM
ATCO Sewer Survey

SubCategory:	Engineering Services
Department Name:	Water Department
Department Summary Recommendation:	We have a fairly complex sewer repair that needs to be made to the sewer main that serves Ohio Street in the ATCO Village. The fix will require an extensive survey with depth measurements taken on each existing manhole. The sewer in this area has had multiple failures over the past few years which we have repaired. To continue fixing the fix is starting to feel like throwing good money after bad. Essentially we are planning to relocate a portion of the sewer main. The existing main ranges from 10 – 15 feet deep and is under multiple driveways, storage buildings and very close to the foundation of several homes (green line aerial photo). Relocating the sewer will replace the most problematic section of line and relocate it away from structures which prevent our ability to properly maintain the line. Additionally, this survey will provide needed data for a larger relocation project planned for the future in the area. A request for pricing was sent to Smith & Smith Land Surveyors. They have quoted a price not to exceed of \$6,900.00. I recommend approval of this bid.
City Manager's Remarks:	Your approval of the pricing and work for Smith and Smith is recommended.
Financial/Budget Certification:	This will be paid from the budget, the Maintenance to Sewers account.
Legal:	
Associated Information:	

SMITH & SMITH LAND SURVEYORS, P.C.
2 SOUTH AVENUE
CARTERSVILLE, GEORGIA 30120
PHONE (770) 382-0457
FAX (770) 387-0543
OUR FEI NUMBER: 58-1198383

Mr. Brent Beck
City of Cartersville Water Department
P. O. Box 1390
Cartersville, Georgia 30120

Re: City of Cartersville Sanitary Sewer
Improvements - Atco

Dear Brent:

Our quote for survey work for sanitary sewer improvements in the City of Cartersville (Atco) generally described as North and South between Wingfoot Trail and Goodyear Avenue and East and West between Litchfield Street and Mayflower Street is a not to exceed price of \$6,900.00.

If you have any further questions please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. C. Smith', with a long horizontal flourish extending to the right.

William C. Smith

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11:46 AM
12/15/15

Item

2015/12/15

00:27



11:37:29



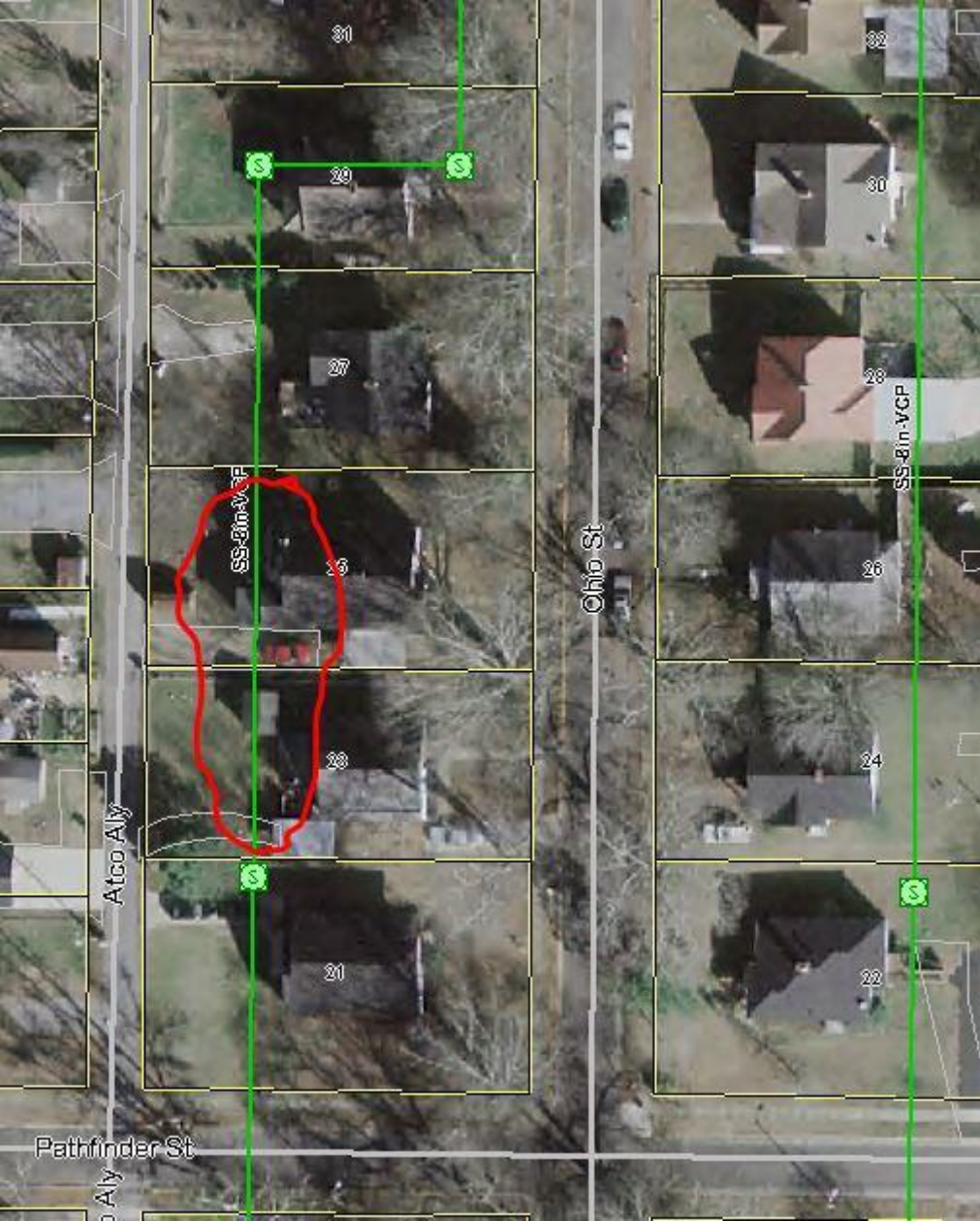


0.6 FT.

An underwater photograph showing a dark, textured, curved object, possibly a piece of coral or a rock. Three red arrows point to specific features on the object's surface. A red outline is drawn on the lower right portion of the object. The background is a light greenish-blue water.

11:46 AM
12/15/15

2015/12/15
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City of Cartersville

City Council Meeting

2/4/2016 7:00:00 PM

N. Erwin Street Water Main – Phase III Engineering

SubCategory:	Engineering Services
Department Name:	Water Dept
Department Summary Recommendation:	The N Erwin Street Water Main – Phase III project will complete a replacement program of some of the oldest water pipe in our system. The project will replace the final leg of the Erwin Street water main from Aubrey Street to Porter Street (2,250 feet). This final segment will replace a mix of 8-inch and smaller unlined cast iron pipe (90 years old) with a new 12-inch main. An additional benefit to the project will be greater feed volume to the Cassville Road area. Currently, the Cassville Road 12-inch main is fed by a 10-inch main which does not allow it to reach its full capacity. Completion of this project will provide a continuous 12-inch feed from the 36-inch main on Old Mill Road to Cassville Road. This should also enhance feed volume to the 10-inch connection on Goodyear Avenue which supplies virtually all of Cassville Road north of the railroad underpass at ATCO. A request for proposal was sent to Sweitzer Engineering for design and permitting services. Their proposal is as follows for each phase of the project through bid award: · Design \$18,500 · CSX Crossing Permit \$4,500 · Erosion Control and Permitting \$4,500 · Easement Acquisition \$1,000 · <u>Bid Administration \$6,000</u> TOTAL (Not to exceed) \$34,500 I recommend approval of the Sweitzer proposal in the amount of \$34,500. This is a budgeted project and will be paid from operating revenue through account 505.3320.54.1511 – N Erwin St Water Main. Cover Memo
City Manager's	Your approval of this item with Sweitzer in an amount not to exceed \$34,500. Item # 15

Remarks:	exceed \$34,500 is recommended.
Financial/Budget Certification:	This is a budgeted project and will be paid from operating revenue through account 505.3320.54.1511 N Erwin St Water Main.
Legal:	
Associated Information:	

SWEITZER ENGINEERING, INC.

CONSULTING ENGINEERS

January 12, 2016

Mr. Edmund L. Mullinax, P.E.
Assistant Director
Cartersville Water Department
P. O. Box 1390
148 Walnut Grove Road
Cartersville, GA 30120

Re: Professional Engineering Services for a Proposed 12-Inch Water Main Extension on North Erwin Street.

Dear Mr. Mullinax:

Thank you for inviting Sweitzer Engineering, Inc. to submit a proposal for professional engineering services for the referenced Project. We are pleased to provide a proposal in the form of this Letter-Agreement for professional engineering services.

Project Description:

We understand that the City's project will consist of construction of approximately 2,250 lineal feet of new 12-inch ductile iron water main along the right-of-way of North Erwin Street in Cartersville from the vicinity of Aubrey Street to the vicinity of Porter Street. The purpose of the project will be to replace a segment of smaller pipe with a continuous 12-inch diameter water main along North Erwin Street.

It appears that the proposed water main extension will require encroachment permits for crossings under two CSX railroad beds, across one streambed, and for a cased bore under North Erwin Street.

Scope of Engineering Services:

Our professional engineering services will be provided in the several customary Phases as outlined below and described in more detail by the attached General Provisions. Bidding and Construction Phase Services are included as separate line items in this proposal, to be provided only if authorized by the City when and if appropriate.

1. Initial Studies Phase: We will

- Consult with the Owner to define and clarify the City's needs and extent of available data and information.
- Consult with and analyze requirements of governmental authorities having jurisdiction to approve the Project, including, but not limited to, the Georgia Environmental

Item # 13

SWEITZER ENGINEERING, INC.
CONSULTING ENGINEERS

Mr. Edmund L. Mullinax, P.E.
January 12, 2016
Page 2 of 4

Protection Division (EPD)/USCOE for the stream crossing and CSX Corporation for railroad line pipeline crossing permits.

- Prepare and submit two (2) sets of schematic Drawings (with alternate pipe layouts for consideration, if appropriate), Outline Specifications, and Preliminary Opinion of Probable Construction Cost within thirty (30) days after authorization to proceed. We will meet with Owner's staff to review the preliminary documents.

2. Design Phase: We will

- Revise the Initial Studies Phase Documents within 15 calendar days after receipt of Owners' review comments and regulatory/permitting agency comments, if any.
- Prepare final Design Phase Documents, consisting of Drawings, Specifications, and a revised Opinion of Probable Construction Cost for Owner's review.
- Prepare and furnish four (4) copies of the final Design Phase Documents including the final Bidding Documents suitable for advertising for and obtaining bids or proposals for the Work.

3. Permitting Phase: We will

- Prepare and file applications on Owner's behalf for permits from, or approvals of, governmental authorities having jurisdiction to review or approve the final design and assist Owner in consultations with appropriate authorities, including CSX Railroad and the Georgia Environmental Protection Division, or other agencies.
- Assist Owner in consultations with the appropriate approval and/or permitting authorities.

4. Bidding Phase: We will

- Only when specifically authorized, provide Bidding Phase services to assist Owner with advertising for and obtaining bids or proposals for the Work.

5. Construction Phase: We will

- Only when specifically authorized, provide Construction Phase services as set forth in the General Provisions, including, if requested, Resident Project Representative Services.

SWEITZER ENGINEERING, INC.
CONSULTING ENGINEERS

Mr. Edmund L. Mullinax, P.E.
January 12, 2016
Page 3 of 4

Project Schedule:

We anticipate that the following proposed schedule will enable the Project to be designed, and ready for bidding no later than the September 22, 2016 meeting of the Mayor and City Council, as follows:

Authorization to begin Initial Studies Phase	Jan 22, 2016
Submittal of preliminary Design Documents for review	Feb 22, 2016
Receipt of Owner's review of preliminary Documents	March 04, 2016
Submittal of CSX and EPD Permit Applications	Mar 15, 2016
Submittal of final Design Documents to Owner	Mar 21, 2016
Submittal of Bidding Documents to Owner	April 01, 2016
Receipt of Permits and Approvals by	Sept 14, 2016
Begin Bidding Phase	To be determined
Begin Construction Phase	To be determined

Engineering Fees:

Our fee for professional engineering services described herein through the final **Design and Bidding Documents Phase** will be **\$18,500** Lump Sum, to be paid on the basis of progress invoices submitted monthly by the Engineer.

Our fee for professional engineering services described herein for the **Permitting Phase** will be on an hourly basis for time and expenses incurred as **Additional Services**, except that the total fee for the Permitting Phase will not exceed **\$10,000** unless authorized by the Owner in writing. Permitting services will be paid on the basis of progress invoices submitted monthly by the Engineer. We have assumed the following budget figures for Additional Services during the Permitting Phase:

CSX pipeline crossing permits	\$ 4,500
Erosion Control Plan and permit application	\$ 4,500
Assistance with easement procurement	<u>\$ 1,000</u>
Total	\$10,000

Our fee for professional engineering services during the **Bidding Phase**, if authorized, will be **\$6,000.00** Lump Sum, to be paid on the basis of progress invoices submitted monthly by the Engineer.

SWEITZER ENGINEERING, INC.

CONSULTING ENGINEERS

Mr. Edmund L. Mullinax, P.E.

January 12, 2016

Page 4 of 4

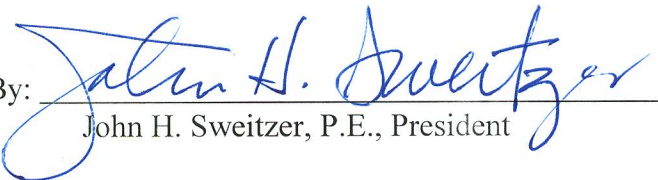
Our fee for services during the **Construction Phase**, if authorized, will be on an hourly cost basis, as needed. Prior to start of the Construction Phase we will provide a mutually agreed to, not-to-exceed, budget for the Construction Phase services, including Resident Project Representative services, if needed and authorized.

Professional Services under this Letter-Agreement will be undertaken in accordance with terms and conditions of our standard General Provisions which are attached hereto and made a part of this Letter-Agreement by reference.

Thank you for this opportunity to serve the City of Cartersville. If this proposal is acceptable, receipt of a signed and dated copy of this Letter-Agreement will be our authorization to proceed.

Sincerely,

SWEITZER ENGINEERING, INC.

By: 
John H. Sweitzer, P.E., President

Encl: General Provisions, 5 pages
Exhibit A - Standard Billing Rates

Acceptance:

The above is understood and accepted this _____ day of _____, 2016, which is the Effective Date of this Letter-Agreement.

CITY OF CARTERSVILLE, GEORGIA

ATTEST:

By: _____
Signature

Name (typed or printed)

Title

Signature

Connie Keeling

Name

City Clerk

Title

(Seal)

GENERAL PROVISIONS

Attached to and made part of the Letter-Agreement dated _____, 20__ between the **CITY OF CARTERSVILLE, GEORGIA** (Owner), a political subdivision of the State of Georgia and **SWEITZER ENGINEERING, INC.**, (Engineer), a corporation authorized to conduct business in the State of Georgia.

SECTION 1 – BASIC SERVICES OF THE ENGINEER

1.1 Scope The services as described in attached Letter-Agreement for Owner's project (Project).

1.1.1 Engineer, serving as Owner's professional engineering representative for the Project shall perform professional services consisting of civil engineering and other engineering services customary and incidental thereto.

1.2 Initial Studies Phase Engineer shall:

1.2.1 Consult with Owner to clarify the scope and define Owner's requirements for the Project and prepare preliminary documents consisting of conceptual design criteria, hydraulic calculations, preliminary sketches, and preliminary opinions of probable construction cost, as appropriate.

1.2.2 Advise Owner as to the necessity of Owner's providing, or obtaining from others, data or services of the types described in Section 3.1.2. Act as Owner's representative in connection with any such services.

1.2.3 Review available data and provide analyses of Owner's needs; provide a general analysis of various alternatives for the Project.

1.2.4 Provide recommendations and other general consultation and advice relative to the Project, as appropriate.

1.3 Design Phase Engineer shall:

1.3.1. On the basis of Initial Studies Phase documents accepted by the Owner, prepare final Drawings and Specifications to show the character and extent of the work to be performed, with such final Drawings and Specifications (the Design Phase documents) being sufficient and adequate to enable the Owner to accurately bid the work required to complete the Project.

1.3.2 Provide technical criteria, written descriptions and design data for Owner's use in applying for permits and approvals of government authorities having jurisdiction to review or approve the final design of the Project, if any, and assist Owner in consultations with the appropriate authorities.

1.3.3 Provide a preliminary opinion of probable Construction Cost and opinion of probable Total Project Cost.

1.3.4 Assist in the preparation of bidding information, quantity take-offs, and bidding requirements by Owner, its legal counsel and other advisors, and assist in the preparation of other related documents appropriate for bidding.

1.3.5 Furnish four (4) copies of the final Design Phase documents and review them with the Owner for approval.

1.3.6 After acceptance by Owner of the Final Design Phase documents and the most recent opinion of probable Construction Cost, furnish approved Drawings, Specifications, and bidding documents in .pdf form for use by others to conduct the Bidding Phase.

1.4 Bidding Phase Engineer shall:

1.4.1 Assist Owner in evaluating bids or proposals for the work obtained by others.

1.4.2 Prepare Addenda as appropriate to clarify, correct or change the Bidding Documents and consult with Owner as to the acceptability of subcontractors, vendors, suppliers, etc. proposed by Contractors for the work.

1.4.3. Consult with and advise Owner as to acceptability of substitute materials and equipment for the work proposed by Bidders.

1.4.4 Assist Owner in evaluating Bids or proposals obtained by others and advise Owner as to recommendation of award.

1.5 Construction Phase – Engineer shall, when authorized by Owner and upon execution of the Construction Contract for the work by others:

1.5.1. Consult with Owner on an as-requested basis only and not as Owner's representative in connection with general administration of any Construction Contract for the Project. All of Owner's instructions to Contractor shall be issued by others. Engineer shall not have authority or responsibility to act on behalf of Owner in dealings with any Contractor. The Engineer shall not have authority or responsibility to bind the Owner to any change in the Contract Price or to the Contract Time as expressed in any construction contract related to the Project.

1.5.2. Engineer will participate with Owner and Contractor in a pre-construction conference prior to commencement of work at the site.

1.5.3. In connection with observations of the work of Contractor while work is in progress, make visits to the construction site at intervals deemed necessary by Owner, only to observe the progress and quality of contractor's work and to determine in general if such work is proceeding in accordance with the City-approved Drawings and Specifications. The Engineer shall give prompt notice to the Owner if the Engineer observes any material defect or deficiency in the work. The responsibilities of Engineer contained in this paragraph are expressly subject to the limitations set forth in paragraph 1.5.7 below.

1.5.4. If requested, provide services of a Resident Project Representative (RPR), as Additional Services, at the site under Engineer's supervision to assist the Engineer and provide more complete on-site observation of the work under terms and conditions expressly set forth herein.

1.5.5. Review Contractor's construction schedules and schedule of values; review shop drawings, samples, reports of tests and inspections, and other data which Contractor is required to submit to Owner.

1.5.6. Issue interpretations and clarifications of the approved Drawings and Specifications and recommend Change Orders to Owner as appropriate.

1.5.7. The Engineer (including Resident Project Representative, if any) shall **not** be responsible for:

(a) Making continuous, full-time, or detailed on-site inspections to check the quality or quantity of the work beyond the responsibilities

specifically assigned to the Engineer and Resident Project Representative in this Agreement;

(b) Supervising, directing or exercising direct control over Contractor's work nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor, the Owner, or others for the work;

(c) The safety precautions and programs incident to the work of the Owner or Contractor;

(d) Scheduling of the work or its timely completion; or,

(e) The acts or omissions of the Owner, or any Contractor, or any of their subcontractors or suppliers, or any of the Contractor's or subcontractor's or supplier's agents or employees or any other persons (except Engineer's own employees and agents) at the site or otherwise performing any of the Owner's or Contractor work.

(f) Reviewing Contractor's periodic and final applications for payment and the accompanying data and schedules, determining the proper amounts owing to Contractor and recommending payments to Contractor.

(g) Providing record drawings of the work showing field changes made during construction

SECTION 2 – ADDITIONAL SERVICES OF THE ENGINEER

2.1 Unless specifically provided for in the Letter-Agreement, normal and customary engineering services do not include services in respect of the following categories of Work which are usually referred to as Additional Services. Owner shall instruct Engineer to perform any Additional Services required for the Project and shall pay Engineer therefore as Additional Services. Additional Services include, but are not limited to, the following:

2.1.1 Services resulting from significant changes in the extent or scope of the Project or the Owner's schedule; major changes in documentation previously accepted by Owner where changes are due to causes beyond Engineer's control.

2.1.2 Preparation and filing of applications for financing of the Project.

2.1.3 Preparation or review of environmental assessments and impact statements; Erosion Control Plans and applications; wetlands permit applications, assistance in obtaining the approval of authorities with such jurisdictions.

2.1.4 Preparation to serve or serving as a consultant or witness for Owner to any litigation.

2.1.5 Services during out-of-state travel required of the Engineer.

2.1.6 Services normally furnished by the Owner or not otherwise provided for in this Agreement.

SECTION 3 – OWNER’S RESPONSIBILITIES

Owner shall:

3.1 Provide all criteria and full information as to Owner’s requirements for the Project; make available pertinent existing data; make known any special or extraordinary considerations or special services needed; designate a person to act with authority on Owner’s behalf in respect of all aspects of the Project; examine and respond promptly to Engineer’s submissions; and give prompt notice to Engineer whenever any defect in the Work is observed or otherwise becomes known.

3.1.1 Advise Engineer in writing at an early date if there are budgetary limitations and employ an independent cost estimator if formal cost estimates are required.

3.1.2 Whenever required and authorized by the Owner, upon recommendation of the Engineer, furnish and pay for analytical laboratory services, geotechnical investigations, subsurface explorations; field surveys such as property, boundary, easement, right-of-way, topographic and utility surveys; all of which Engineer may rely upon in performing its services. Payment for such services shall be made by Owner directly to the provider(s) of the services.

3.1.3 Obtain approvals and permits from all governmental authorities having jurisdiction over the Project and pay any applicable filing fees and sales or other tax applicable to the Project, including taxes on services of Engineer, in the manner and amount required by law.

SECTION 4 – INVOICES AND PAYMENTS

4.1 Engineer shall prepare invoices in accordance with its standard invoicing practices and

submit invoices to Owner on a monthly basis for work performed during the previous month.

4.2 Owner shall pay Engineer’s invoices with 30 days of receipt. Owner’s payment of Engineer invoices shall not be contingent upon Owner’s receipt of funds from any third party.

4.3 If Owner fails to make any payment to Engineer within 60 days after receipt of Engineer’s invoice, Engineer shall include a charge at the rate of 1/2% per month. Engineer may, after giving 7 days notice to the Owner, suspend services under this Agreement until payment. Owner waives any and all claims against Engineer for any such suspension.

4.4 Payroll Costs and Reimbursable Expenses shall be as listed in the Billing Rate Schedule on file with the Owner.

SECTION 5- OPINIONS OF CONSTRUCTION COST

5.1 Any and all opinions of probable costs provided in connection with the Project are made on the basis of Engineer’s experience and qualifications, the Engineer’s knowledge of Project requirements at the time of the opinion, and represent his best judgment as an experienced and qualified professional engineer. Engineer cannot and does not guarantee that proposals, bids, or actual Project or Construction Costs will not vary significantly from opinions of probable cost prepared by the Engineer. If the Owner wishes greater assurance as to the costs, the Owner shall employ an independent cost estimator.

SECTION 6– GENERAL CONSIDERATIONS

6.1 Engineer shall exercise the same degree of care and skill ordinarily exercised under similar circumstances by qualified professional engineering firms providing similar services in the same locality. Subsequently evolved standards shall not be applied in judging Engineer’s services. Engineer does not guarantee that any financing, approvals, or permits will be obtained for the Project and shall not be held liable therefore.

6.2 Engineer shall not at any time supervise, direct, control, or have authority over any contractor work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for the safety precautions and programs incident thereto, for security or safety at the

Site(s), nor for any failure of a contractor to comply with Laws and Regulations applicable to such contractor's furnishing and performing of its work.

6.3 All Documents are instruments of service in respect to the Project, and Engineer shall retain an ownership and property interest therein (including the copyright and the right of reuse at the discretion of the Engineer) whether or not the Project is completed. Owner shall not rely in any way on any Document unless it is in printed form, signed or sealed by the Engineer or one of its Consultants. Owner may make and retain copies of Documents for information and reference in connection with use on the Project by Owner. Engineer grants Owner a limited license to use the Documents on the Specific Project, subject to receipt by Engineer of full payment for all services relating to preparation of the Documents and subject to the following limitations: (1) Owner acknowledges that such Documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by Engineer; and (2) any such use or reuse, or any modification of the Documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer or its Consultants. Nothing herein shall be construed to give any rights or benefits to anyone other than the Owner and Engineer.

6.4 Any information and concepts shared with Engineer by Owner during the course of this Agreement shall be kept confidential by Engineer. Engineer shall return all copies (whether in hard or electronic format) of all materials, information or data provided by Owner or produced by Engineer on behalf of the Owner during the course of this Agreement to Owner at the termination of this Agreement.

6.5 *Termination:* This Agreement may be terminated for cause by either party upon seven (7) days written notice in the event of substantial failure by the other party to perform in accordance with the terms of the Agreement. In the event of any termination, Engineer shall be paid, upon termination, for all services rendered to the date of termination and will be released from all further obligations to perform services hereunder.

6.6 *Engineer's Limitation of Liability:* To the fullest extent permitted by law, and notwithstanding

any other provision of this Agreement, the total liability, in the aggregate, of Engineer and Engineer's officers, directors, members, partners, agents, employees, and Consultants, to Owner and anyone claiming by, through, or under Owner for any and all claims, losses, costs, or damages whatsoever arising out of, resulting from, or in any way related to the project from any cause or causes, including but not limited to the negligence, professional errors or omissions, strict liability, breach of contract, indemnity obligations, or warranty, express or implied, of Engineer or Engineer's officers, directors, members, partners, agents, employees, or Consultants, shall not exceed the total compensation received by Engineer or \$50,000, whichever amount is greater.

6.7 *Dispute Resolution:* Owner and Engineer agree to negotiate all disputes between them in good faith for a period of 30 days from the date of notice of dispute. If the parties fail to resolve a dispute through negotiation, then the dispute shall be subjected to non-binding mediation. If mediation is unsuccessful, then the parties may exercise their rights under law.

SECTION 7-ENGINEER'S REPRESENTATIONS

7.1 *Immigration Reform Compliance:* Engineer agrees to comply, during the entire duration of this Agreement, with all provisions of the "Georgia Security and Immigration Compliance Act" {O.C.G.A. § 13-10-91 and O.C.G.A. § 50-36-1 et seq.} and the Immigration Reform and Control Act of 1986 {8 USC § 1621 (c)} and will provide the required documentation regarding said compliance. The Contractor affirms it has registered with, is authorized to use, and uses the federal work authorization program (also known as E-Verify), and that it will contract for the physical performance of services only with subcontractors who present an affidavit with the same information required of the Engineer. Engineer also affirms it will designate a person to provide the required SAVE affidavit and associated secure and verifiable document.

7.2 *Insurance:* At all times when services are provided under this Agreement, Engineer shall maintain the following insurance coverages and limits of liability:

a) Workman's Compensation: Statutory

- b) General Liability: \$1,000,000 Each Occurrence (Bodily Injury and Property Damage) and \$2,000,000 General Aggregate
- c) Automobile Liability: \$1,000,000 Combined Single Limit (Bodily Injury and Property Damage) Each Accident
- d) Professional Liability: \$1,000,000 Each Claim Made and \$2,000,000 Annual Aggregate

7.3 Engineer shall deliver certificates of insurance evidencing the coverages indicated herein.

SECTION 8 – MISCELLANEOUS PROVISIONS

8.1 All express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion or termination for any reason.

8.2 Owner and Engineer each binds itself and its successors, and assigns to the other party of this Agreement and to successors and assigns of such other party, in respect to all covenants, agreements and obligations of this Agreement.

8.3 Neither Owner nor Engineer shall assign, sublet or transfer any rights under or interest in this Agreement without the written consent of the other.

8.4 This Agreement includes the Letter-Agreement between Owner and Engineer to which these General Provisions are attached and any and all schedules or exhibits to the Letter-Agreement, and any amendments executed under the Agreement, all as if they were part of one and the same document.

8.5 The Letter-Agreement (including the expressly incorporated attachments) constitutes the entire agreement between Owner and Engineer for the Project services and supersedes all prior oral understandings, if any. This Agreement may be amended, supplemented, modified, or canceled by a duly executed written instrument only.

8.6 *Controlling Law*: This Agreement is to be governed by the law of the State of Georgia.

EXHIBIT A

SWEITZER ENGINEERING, INC.
STANDARD HOURLY RATE SCHEDULE

January 1, 2016

<u>Classification</u>	<u>Hourly Rate</u>
Principal	\$160.00
Project Manager	\$130.00
Senior Project Engineer	\$ 105.00
Project Engineer	\$ 98.00
Engineer	\$ 85.00
Engineering/CADD Technician	\$ 65.00
Resident Project Representative	\$ 55.00
Admin/Clerical	\$ 50.00

Notes

1. Direct, non-salary expenses (Reimbursable Expenses) are invoiced at actual cost (no mark-up).
2. The reimbursable rate for auto mileage is the IRS allowable rate. (currently \$0.54 per mile)
3. Hourly rate costs contained in this Schedule may be adjusted annually (January 1).



City of Cartersville

City Council Meeting
2/4/2016 7:00:00 PM
Surplus Equipment - Athletic Field Lighting Systems

SubCategory:	Surplus Equipment
Department Name:	Parks and Recreation
Department Summary Recommendation:	I would like to surplus the athletic field lighting systems (fixtures, ballasts, electrical boxes, etc.) for Richard Bell field and Dellinger Park fields #4, #5 & #6. Parks and Recreation will be using the better wooden poles for our Pine Mt & Canoe/Kayak launch parking areas and will keep about 10-15 fixtures as replacements. All other surplus items will be placed on govdeals.com
City Manager's Remarks:	Your approval of surplus of this equipment and listing it on govdeals.com is recommended.
Financial/Budget Certification:	
Legal:	
Associated Information:	



City of Cartersville

City Council Meeting
2/4/2016 7:00:00 PM
Visioning Retreat Summary

SubCategory:	Other
Department Name:	Administration
Department Summary Recommendation:	Attached is the recap from the facilitator, Catherine Bennett, of the Council Visioning Retreat.
City Manager's Remarks:	While technically Council approval isn't required on this, I'd like to know that there is collective agreement on these items as we move forward in the 2016.
Financial/Budget Certification:	NA
Legal:	NA
Associated Information:	

Catherine Bennett

944 Downing Drive, Bethlehem, GA | 770-827-9656 | cbennettmsu@hotmail.com

January 24, 2016

Sam Grove
City Manager
City of Cartersville
Cartersville, GA

Dear Sam:

Thank you so much for the opportunity to work with the Mayor, Council and Staff of the City of Cartersville at your Visioning Session this weekend. I enjoyed working with your team as they determined the priority issues that are facing the government over the next twelve months. I have included several documents in this executive summary that capture the decisions that were made during our time together.

Thank you for giving me the opportunity to work with your team again. It is always a pleasure spending time with the Mayor, Council members and Staff at the City of Cartersville.

Kind Regards,

Catherine Bennett

City of Cartersville Pre-Vision Session Survey Synthesis

1. What do you hope to have accomplished by the end of the January Visioning Session?

- (9) To have a clear understanding of what M & C expect from employees and what is their strategic vision for the future?
- (4) A better understanding as a whole beyond my department of what the city needs and the projects city is committed to and funding challenges in the short and long term future
- (2) Welcoming, building trust/team building with new Council member – hear each other's stories/passions
- Understanding our role as elected officials and what we should and should not be doing
- Work toward consensus about crucial issues (Saturday's portion)

2. What are the key issues facing Mayor Council, Manager Office and Department Heads over the next year?

- (7) Succession Planning – Key employees leaving for better jobs (crews level too) – Diversity in upper management, tenure so progression in leadership includes diversity
- (5) Facing future retirements-there is a competitive job market to recruit new staff and retain current staff
- (4) State of Water System - \$40 million in improvements – need rate increases and reduction in transfers, tax increases.
- (4) Growing the local economy – some departments may need to hire to keep up with service demands
- (3) Funding of the many needs spread over departments
- (3) Consideration of future leadership on Council needs to be fostered and promoted/teambuilding
- (3) Douthit Ferry will cost \$10 million in local share-cannot come from reserves or operations
- (3) Maintain, improve, repair infrastructure
- (2) Security for employees and citizens of Cartersville- national violence

3. What are the strengths of how Mayor, Council, Managers Office and Department Heads work together?

- (6) Mayor and Council work well with DH and staff. They respect each other and defer to staff as house experts and defer to them in technical areas
- (5) Communication and respecting the chain of command
- (3) We have a great CM he does a great job of communicating with M & C and staff

- Mayor and Council Trust CM to make good business decisions and CM trust DH to make good business decisions.
- Having Visioning Sessions to keep departments on track and council can see movement toward their goals
- Work Sessions prior to meetings with DH, makes the business meeting more effective/efficient

4. What needs to be improved about the way that Mayor, Council, Managers Office and Department Heads work together?

- Generational differences need attention so that council does not begin to vote in blocks
- Communication and cooperation- departments are individual parts of a major machine
- Come away from session as a more cohesive unit. There is room to improve between communication between Council and Department Heads

5. What do you see as the top 3 things facing your community over the next three years?

- (11) Infrastructure Funding/Improvements
- (9) Growth, traffic, is going to increase demands for service
- (5) (water, sewer, gas, electric) and how to pay for these and maintenance improvements.
- (4) Roads – Traffic flow
- (4) Personnel- retention of the highest levels of management
- (4) Employee compensation issues
- (2) Growing/Maintaining Jobs
- (2) Funding of unfunded mandates

6. Are there some things that are not being discussed that need to be discussed?

- (4) The insurance plan deductible is too high – need clear explanation for the difference of cost to county employees. Is there a competitive bid process for pricing benefits?
- Are we prepared for something like Ferguson like even or for an active shooter?
- Raise the amount of purchase to \$10,000 without requiring council approval
- City's property taxes potentially need to be raised (pay for infrastructure repairs)
- Utilities cannot keep increasing their rate structures- we don't remain competitive when trying to recruit industrial development customers to the area
- Update on the Recreation Department projects.

Goal Prioritization Results

Priority Rank Procedure:

Items were ranked 1-9 by respondents according to priority. Therefore, the lower the point values, the higher the priority.

Mayor and Council Ranking of Priority Issues to Address in 2016 – 5 Respondents

1. State of Water System (14 points)
2. A. Maintain, improve, repair, fund infrastructure improvements (17) *
B. Growth of the Local Economy (17)
3. Funding Needs of Departments (19)
4. Douthit Ferry Future Costs (22)
5. Roads and Bridge Maintenance (23)
6. Sewer, Gas and Electric – How to Pay for Maintenance Improvements? (30)
7. Downtown Parking (34)
8. Quiet Zones (36)

** Includes funding and constructing **Ward 6 Park** by one respondent*

Staff Ranking of Priority Issues to Address in 2016 – 13 Respondents

1. State of Water System (37)
2. Funding Needs of Departments (39)
3. Maintain, Improve, Repair, Fund Infrastructure Improvements (44)
4. Growth of Local Economy (45)
5. Sewer, Gas and Electric- How to Pay for Maintenance Improvement? (55)
6. Roads and Bridge Maintenance (66)
7. Downtown Parking (88)
8. The Douthit Ferry Future Costs (102)
9. Quiet Zones (103)

City of Cartersville
January 22-23, 2016 Visioning Session Agenda
New Public Safety Building, 195 Cassville Road
Cartersville, GA 30120

Agenda

Friday, January 22, 2016- Morning (Mayor and Council)

8:00 am- Continental Breakfast available

8:30 am – Team Building, Discussion of Intergenerational Differences and Mentoring

9:30 am – Roles and Functions

10:15 am – 10:30 am – Break

10:30 am- Review of Pre-Session Responses and Priorities

Friday Afternoon- Mayor, Council and Department Heads

12:00 pm- Lunch with Department Heads

1:00 pm – Team Building

1:30 pm – Review of 2015 Visioning Goals

2:15 pm – 2:30 pm Break

2:30 pm – Identify New Goals – Break into Groups

3:45 pm – Hot Topics

4:45 pm – Adjourn

Saturday January 23, 2016 – Half -Day with Mayor and Council

9:00 am – Continental Breakfast Available and Summary of Results of Friday

9:30 am – General Discussion on prioritization of goals, timelines and champions of each

10:15 -10:30 am – Break

10:30 am – Hot Topics

11:30 am – Final touches on goals going forward

12:00 pm- Adjourn

Review of 2015 Visioning Goals: - Updates

Goal:

Explore items within DDA Master Plan and include it in the City's vision for Downtown and surrounding areas

Action item: *Sam requested direction from Council – Kari in particular in further exploration of revitalization of areas in Ward 1 and comprehensive approach to neighborhood and public Housing Redevelopment*

Goal:

Explore other infrastructure financing.

Discuss need for fire flows on County water system in Highland 75, BIG and AB area

Update: Last Tuesday (1/19/16) the test failed. County informed JDA that they will be acquiring property soon for tank and requesting reimbursement from JDA (Highland 75)

Action Item: *Kari requested Bob to pull numbers to see what are our water rates as compared to those around us and what do we need to be to get water department back on track*

*2016 Visioning Identification of New Goals with Staff
For Mayor and Council*

Priority	Goal	Target Date	Department	Lead Person
	Hybrid Retirement		Human Resources	Dwight
	Replacing the Loss of DEA Funds-Lobby State for Asset Forfeiture funds			
	(2) Quiet Zones	12/2016	Public Works	Tommy Sanders
	Marketing/Tourism, Industry of City			
	Urban Redevelopment Plan	12/2016	Planning and Development	Randy and New Community Development Liaison
	SPLASH Bartow	7/ 2016	Planning and Development	Randy and New Community Development Liaison
	Aggressive Neighborhood Revitalization of Homes	On-Going	Code Enforcement	
	Identify End-Users for Vacant City Properties	4/2016 to retain consultant	City Manager	Tamara Brock Dan Porta, DDA Melinda Lemmon
	Using TADS for New Projects and Development Opportunities	1/2017		
	LED Lighting and Away from HID		Electric	Derek Hampton Don Hasselbrock
	Review Security for all City Buildings (Key Fobs and Metal Detectors)		Police?	
	Improve Customer Service Process and Collections	12/2016	Customer Service	Jenny Hall Tom R
	Maintain Competitive Wage Structure		Human Resources and Dept. Heads	
	(2) Utility Infrastructure Needs	2016-2026		
	(4) Permanent Property for Fiber	ASAP - 9/2017	Fibercom	Lamar Greenson

	Bldg. (Stabilize or Relocate Cook St)			
	Gas- Sink Hole	ASAP	Gas	Sam
	Permanent Property for Gas Dept.	12/2017		
	Plan for Water Funding Infrastructure	11/2016	Water/Finance	Bob Jones
	Smart-Grid AMI-Metering Utility Automation	2016-2018	Electric, Gas, Water	
	Water Rate and Priority List		Water	
	(2) Identify Critical Infrastructure Needs and Funding	1/2017	All Utilities	Department Heads
	New Vendor and Pumps for Gas in City Vehicles			
	Grant Money for Revitalization			
	Douthit Ferry			
	Training Center/Shooting Range			

Items Discussed
For
Hot Topics

1. Fireworks legislation House Bill 727 and House Bill 774 – need help to push them through
2. Perception of Medical Insurance costs are high by employees. There was discussion on the need to compare medical coverage of other cities. The topic of the burden of the high deductible has a huge negative impact on employees. Is benefit costs losing potential employees?
3. River Shoals – There was discussion on the level of noise builders are creating in early morning and late evening times based on weather demands. Should a noise and hours of operations ordinance be developed?
4. Double Taxation - Taxes on the library, landfill and jail
5. Historic Preservation Committee, 4 of 7 terms of members have expired- remaining three expire this year – none have been reappointed. Alcohol Control Board has similar problem.
6. Parking Downtown

Saturday, January 23, 2016

Mayor and Council Goals for 2016

Priority	Goal	Target Completion Date	Department	Lead Person	Costs	Status
	Permanent Property for Fiber and Gas and Gasoline Building	Immediate; 3-6 months	Gas	Dan, Gary, Lamar		
	Revitalization in areas of community	August 2016	Planning & Development	Taff, Randy, Kari		
	Get state to change law to cut feds out to use state DEA funds	2017 Legislative Session	Police	McCann Council		
	To develop a combined prioritized list of utility capital projects including existing roads and bridges	Before 2016 City Budget	Utilities, Public Works, Public Safety, Recreation	Utilities, PW, Tamara		
	Develop a list of priority projects with Water	Before 2016 Budget	Water	Bob		
	Hybrid Retirement	Immediate; 3-6 months	Administration	Dan & Dwight		
	Marketing Tourism – Resources needed to keep current services and quality of life	December 2016	Public Relations; CVB, JDA, DDA	Rebecca, CVB, Melinda, Ellen, JDA		
	Vacant Buildings - PD, Fire, Civic Center	December 2016	Administration	Dan and Tamara		
	Comprehensive look at security across government	August 2016	Public Safety/I.T.	Frank, Lamar		
	Go to County to request Quiet Zones	10-year project	Council	Dianne		
	Future Assessment/Plan for Downtown Parking	Immediate; 3-6 Months	Planning & Development	Randy redistribute summary to M & C		
	Development of 2020 SPLOST	August 2016	All	Sam, Department Heads, Council		
	Estimate the amount of cost to get Douthit Ferry on 2020 SPLOST	Immediate; 3-6 Months	Public Works	Tommy		
	Which projects to continue in the 2014 SPLOST and which not to fund	Immediate; 3-6 Months	Administration	Dan, City Council		
	Enforcement of Codes/Appearances	On-going	Code Enforcement	Lindsey		
	Every avenue of Enforcement of Hotel Code Violations and paying hotel and motel taxes be explored by staff	Immediate; 3-6 Months	Code Enforcement, Financing, Public Safety	Randy, Legal, Sam, Frank		

- *Mayor and Council requested staff to provide associated costs with above mentioned goals*

Hot Topics:

Firing Range request for Randy to look into